4-5 EDWARD VII.

CHAP. 3.

An Act to establish and provide for the Government of the Province of Alberta.

[*Assented to 20th July, 1905.*]

Preamble.

WHEREAS it is enacted by *The British North America Act, 1871*, being chapter 28 of the Acts of the Parliament of the United Kingdom passed in the session thereof held in the 34th and 35th years of the reign of Her late Majesty Queen Victoria, that it is enacted that the Parliament of Canada may from time to time establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such province, and for the passing of laws for the peace, order and good government of such province, and for its representation in the said Parliament of Canada;

And whereas it is expedient to establish as a province the territory hereinafter described, and to make provision for the government thereof and the representation thereof in the Parliament of Canada: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as *The Alberta Act*.

Territory of Alberta constituted a province.

2. The territory comprised within the following boundaries, that is to say,—commencing at the intersection of the international boundary dividing Canada from the United States of America by the fourth meridian in the system of Dominion lands surveys; thence westerly along the said international boundary to the eastern boundary of the province of British Columbia; thence northerly along the said eastern boundary of the province of British Columbia to the north-east corner of the said province; thence easterly along the parallel of the sixtieth degree of north latitude to the fourth meridian in the system of Dominion lands surveys as the same may be hereafter defined in

84- 4574

THE HISTORICAL EVOLUTION

OF

THE DEPARTMENT OF MUNICIPAL AFFAIRS

1984

Alberta Culture

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PART I: INTRODUCTION

The Historical Resources Act (R.S.A. 1980, c.H-8) charges the Provincial Archives of Alberta with a dual role. Firstly, the Provincial Archives preserves the written, oral and visual history of our province through the careful storage of significant historic documents. Secondly, it promotes public understanding and appreciation of Alberta's rich heritage by making historic collections available for public usage.

The Historical Resources Act (Section 9) states that the Minister of Culture may:-

> "(h) provide for the operation, maintenance and development of the Provincial Archives of Alberta for
>
> (i) the preservation, storage, publication and public exhibition of public records (as defined in the Department of Public Works, Supply and Services Act), and
>
> (ii) the acquisition, preservation, publication and public exhibition of documents, parchments, manuscripts, records, books, maps, plans, photographs, magnetic tapes or other materials, regardless of physical form, the preservation of which is in the public interest."

In accordance with its mandate, the Provincial Archives is involved in the preservation of both private documents and governmental records (known as public records). These public records are indeed varied and diverse in their origin. Therefore, one needs to know of the administrative framework which produced them. This will indicate how various public records series should be arranged (in accordance with the principles of provenance) so as to promote public accessibility.

Provincial Government departments have evolved over time. Most departments, as they exist today, bear little similarity to what existed in 1905. Today, the duties of most departments are more specialized and professional. Many of the original departments were composed of branches (sub-sections) which have since been transferred to new or other departments. Moreover, administrative transfers were sometimes accompanied by a re-direction of their primary goals. Given a very complex process of administrative development, there is a need to clarify and to provide a more structured system for accessing and arranging the government records collections.

In 1974, the Provincial Archives conducted a preliminary effort in examing the administrative history of government departments. Unfortunately, budget funds were insufficient to implement an expanded program.

In 1983, the Provincial Archives acquired sufficient resources to reactivate its research objective. Its two fold purpose is to assist archivists in processing public records and to assist the public in studying and understanding the history and development of Alberta.

PART II: AN OVERVIEW OF THE DEPARTMENT OF MUNICIPAL AFFAIRS

In 1912, the Provincial Government established the Department of Municipal Affairs. At that time, Alberta was the third province to create a department to assist local governments in performing their roles.

It appears that from 1875 to 1930, there was a need for government to assist local authorities in the settlement and development of communities. From about 1930 to 1950, a viable and effective system of public administration emerged. Between 1950 and 1983, it appears Municipal Affairs assisted the local authorities in coping with modern economic and social trends. This paper identifies the most significant legislative and organizational developments for each of these time periods.[1]

The department's history is described in five major sections. In Part II, the department's current functional components are identified. In turn, these functions are viewed in relationship to several time periods. Part III is composed of four subsections. First, the legislative events for the 1887-1912 period which led to the establishment of Municipal Affairs are examined. Secondly, the department's functional development between 1912 and 1930 is described. Thirdly, departmental functioning through the 1930-1950 period is viewed. Fourthly, this paper presents the new policy directions taken towards municipal administration in the 1950-1960 time period and finally, legislative developments for the 1960-1983 era are overviewed. Part IV, presents an analysis of department's administrative organization and in Part V, additional historical materials are provided which may assist future research enquiries.

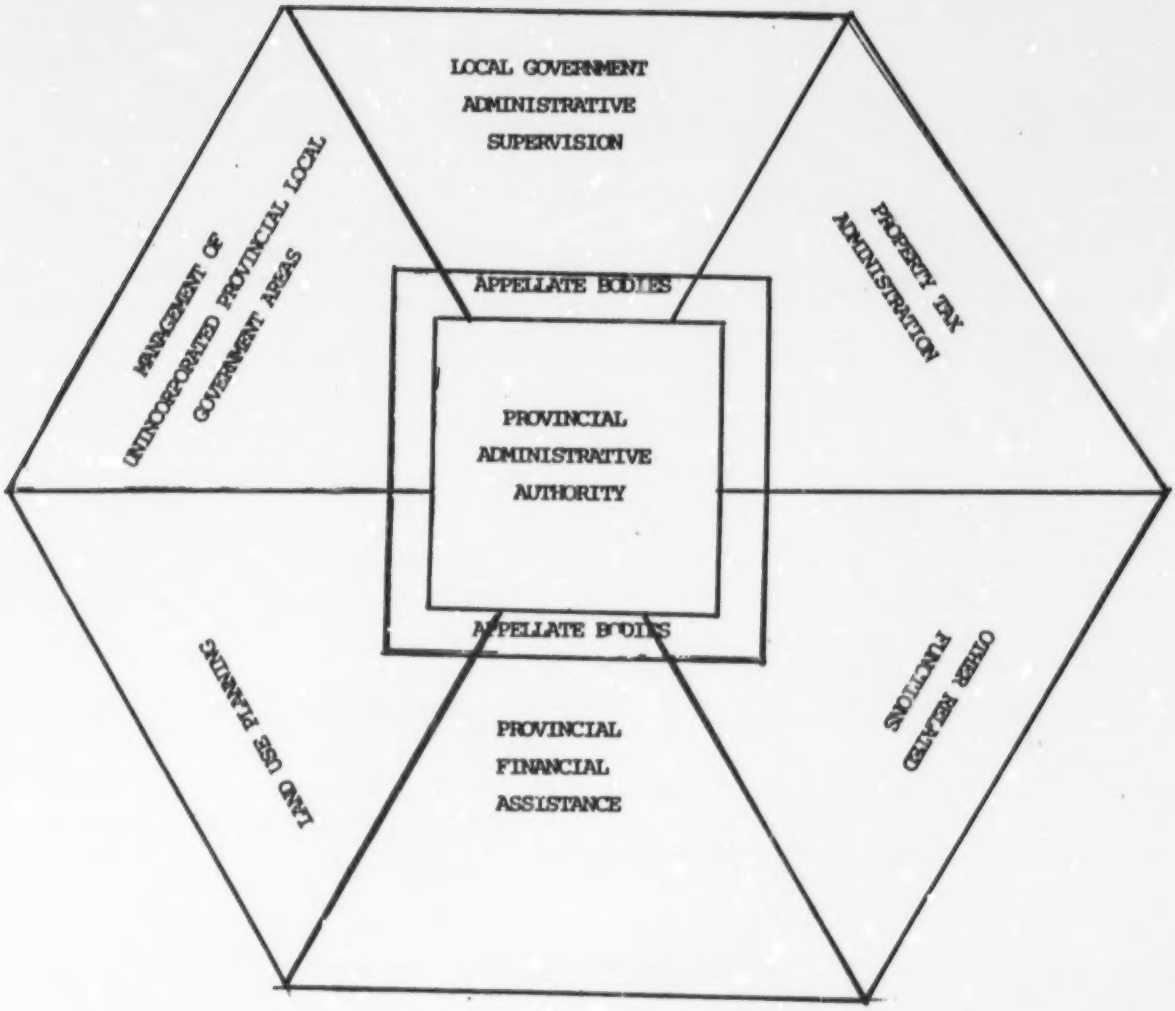
Municipal Affairs is a provincial government department whose actions are directed towards the local authorities. An examination of this department is made difficult because we must acknowledge the existence of a provincial-municipal administrative process; as well as specific functions which are provided. Therefore, in this section, functions are identified within the context of provincial-municipal relations.

Provincial-municipal relations are made complex because they involve a consideration of overlapping objectives.[2] Firstly, the provision of local services requires a standard of quantity and quality. For example, not all local authorities have the capacity to provide an adequate standard of service because of a weak revenue base. Therefore, it is necessary for the provincial government to consider a fiscal equalization policy and a uniform means of administration. Secondly, it is desirable for the local authorities to obtain a degree of autonomy from the central provincial authority, so that they are viable as decision-making entities. Thirdly, it is necessary to protect and to promote the well-being of individual citizens and appellate functions are built into the administrative process.

Each of these concerns is tied together within a framework of administration. Chart I provides a model which displays how these objectives are integrated within an overall administrative process.

CHART I

FUNCTIONS PERFORMED BY DEPARTMENT OF MUNICIPAL AFFAIRS



The Department of Municipal Affairs is conceptualized as an administrative process which is made up of three dimensions. The outer ring (in Chart I) displays departmental function areas. The middle ring is expressed as an area in which both citizens and local governments may seek redress. Finally at the centre of the diagram, is an area which is composed of a governing administrative authority. A certain logic emerges from the conceptual framework. The department carries out functions which are related to property tax administration, financial assistance, land-use planning, managing unincorporated areas, and administrative supervision. Should a citizen or local authority feel aggrieved by department actions, they may use appellate mechanisms and attempt to alter the impact of provincial policies.

The effect of this system is two fold. Firstly, Municipal Affairs is a type of umbrella organization which deals with separate policy concerns relating to the management of local government. Secondly, Municipal Affairs is a type of decision-making process, whereby, the needs of the central provincial authority and the needs of local governments interact. Hence, the diverse objectives; the need for province-wide standards, the need for local autonomy, and the concerns of the private citizens are expressed through a democratic process of consultation. In this section, each component is examined separately.

2.1 Provincial Administrative Authority

The basis for provincial administrative authority is set out in the Department of Municipal Affairs Act and the Local Authorities Act:-

Department of Municipal Affairs Act

The Department of Municipal Affairs Act passed in 1912 (S.A. 1911-1912, c.11) establishes the supervisory role of the provincial government. Currently, the act, as printed in Revised Statutes (R.S.A. 1980, c.D-25) is composed of sixteen clauses, and provides for an overall administrative authority, financial regulation, and for disciplinary action should local authorities not function in a proper manner.

Administrative Authority

Responsibility for the supervision of local authorities is defined in Sections 4, 5, 8 and 10:-

> "4. The Minister is entrusted with the powers and charged with the duties that by any law in force in Alberta are assigned to the office of the Minister of Municipal Affairs.
>
> 5. Subject to the Acts governing municipalities, the Minister may
>
> (a) make and enforce regulations governing the methods of bookkeeping, accounting, records, and auditing to be used in municipalities;

(b) procure and issue to municipalities sample sets of books and forms that he considers necessary for the proper carrying out of the regulations;

(c) make and enforce regulations respecting any other matters and things that are in his opinion conductive to a thorough and systematic conduct of the affairs of the municipalities by the officials thereof.

8. The Minister may settle, adjust and decide any questions arising between the councils of different municipalities respecting any rights, powers or duties conferred on them by any Act in force in Alberta.

10. (1) There shall be attached to the Department one or more inspectors who shall from time to time as required by the Minister examine and inspect all books of record and account, and all other papers and matters whatsoever belonging to any municipality.

(2) The books and records of every municipality shall be inspected at least once in every year, and a special inspection in the case of any municipality may be ordered by the Minister, whenever he considers it advisable, or on petition of the council of the municipality setting out clearly the reasons why in the opinion of the council the special inspection is thought necessary.

(3) An inspector

(a) may require the attendance of any official of the municipality or of any other person whose presence he considers necessary during the course of his inspection, and

(b) has the same power as any judge or court in civil cases,

(i) to compel the attendance of the official or person before him

(ii) to compel the production of documents, and

(iii) to take evidence under oath.

(4) When required to do so by any inspector, every official of a municipality shall produce for examination and inspection all books, records, papers, documents and other property of the municipality in his possession."

Financial Regulation

Responsibility for financial supervision is defined in Sections 6, 7, 9 and 11:-

"6. (1) The Minister may make grants if

(a) he is authorized to do so by regulations under this section, and

(b) there is authority available in a supply vote for the purpose for which the grant is to be made.

(2) The Lieutenant Governor in Council may make regulations

(a) authorizing the Minister to make grants;

(b) prescribing the purposes for which grants may be made;

(c) governing applications for grants;

(d) prescribing the persons or organizations or classes of persons or organization eligible for grants;

(e) specifying the conditions required to be met by any applicant for a grant to render that person eligible for the grant;

(f) prescribing the conditions on which a grant is made and requiring the repayment of the grant to the Government if the conditions are not met;

(g) providing for the payment of any grant in a lump sum or by instalments and prescribing the time or times at which the grant or the instalments may be paid;

(h) limiting the amount of any grant or class of grant that may be made;

(i) authorizing the Minister to delegate in writing to any employee of the Government any duty, power or function respecting the payment of any grant;

(j) requiring any person receiving a grant to account for the way in which the grant is spent in whole or in part;

(k) authorizing the Minister to enter into an agreement with respect to any matter relating to the payment of a grant.

(3) Any regulation made under subsection (2) may be specific or general in its application.

7. (1) The Lieutenant Governor in Council may authorize the Provincial Treasurer, on behalf of the Crown to guarantee the due repayment of any sum, together with interest borrowed by

(a) the Alberta Urban Municipalities Association

(b) the Alberta Association of Municipal Districts and Counties, or

(c) a regional planning commission as defined in the Planning Act

(2) The authorization in subsection (1) may be made subject to any terms and conditions respecting the guarantee that the Lieutenant Governor in Council considers necessary.

9. (1) The Minister may by order at any time

(a) require the auditor of any municipality to send by prepaid post to every person named on the tax roll whose taxes are shown on it to be in arrears, a statement of the arrears, in the form that may be prescribed, and

(b) thereafter direct the council of the municipality to take the proceedings the Minister considers warranted by the circumstances.

(2) The expenses of proceedings under this section shall be borne by the municipality.

11. A bank or agency of any bank or any other similar institution carrying on business in Alberta shall on request of the Minister furnish him with a statement showing the balance or condition of the accounts of any municipality having an account with the bank or agency together with any particulars of the accounts that may be required."

Disciplinary Authority

The basis for disciplinary authority is defined in Sections 12, 13, 14, 15 and 16:

"12. After the completion of his inspection of the books and records of a municipality the inspection shall in the form prescribed by the Minister make a report thereon to the Minister and to the chief executive officer of the municipality.

13. (1) On the Minister being satisfied by the report of any inspector or in any other manner that the affairs of the municipality are managed in an irregular, improper or improvident manner, he may, in his discretion at any time and from time to time by order under his hand either

(a) dismiss the council or any designated members of it or any official of the municipality, or

(b) direct the council or any official of the municipality to take any action that the Minister in the circumstances considers proper.

(2) If a direction of the Minister under this section is not carried out to the satisfaction of the Minister, he may in his discretion by order under his hand dismiss the council or any designated members of it or any officials of the municipality.

(3) On the dismissal of the council or of any member of it, the Minister may in his discretion by order under his hand direct the election of a new council or of a member to take place of any member so dismissed, as the case may be.

(4) On the dismissal of an official, the Minister may appoint another official in his stead and prescribe the remuneration payable to that official by the municipality.

(5) The Minister may

(a) on the dismissal of a council, or

(b) in the event of failure to nominate and elect a council for the municipality, or persons to fill vacancies in the council.

appoint by order under his hand an official administrator, who thereupon has all the powers belonging to the council, and who shall be paid remuneration by the municipality as fixed by the Minister.

(6) An order of the Minister under this section takes effect on the service of a copy of it on either

(a) the chief executive officer of a municipality, or

(b) in the case of a city, the city clerk, or in the case of any other municipality, the secretary or secretary-treasurer.

and the service may be effected either personally or by sending a copy of the order by registered mail, and if so sent, shall be deemed to be served on the expiration of the 7th day after the date of mailing.

(7) A member of a council or an official thereof dismissed by an order of the Minister ceases to be a member of the council or an official thereof, as the case may be, on the order taking effect.

14. (1) The Minister may at any time in his discretion appoint a comptroller of the affairs and business of the municipality.

(2) The comptroller so appointed has the supervision of the council or the official administrator in the management of the affairs and business of the municipality, and so long as the appointment of the comptroller continues.

(a) no by-law or resolution whereby a liability is incurred or a disposition is made of the money or property of the municipality has any effect until it has been approved in writing by the comptroller, and

(b) the comptroller may at any time within 30 days after the passing of any by-law or resolution disallow it, and the by-law or resolution so disallowed becomes and is deemed to have always been void.

15. When a new village, municipal district or county is formed or a municipal district is created by merger, the Minister may by order appoint an official administrator who has all the powers and duties of a council of the municipality concerned until the time a first council of the municipality is sworn into office.

16. The Minister may on his own motion or on the petition of

(a) the council,

(b) not less than 1/3 of the members of the council,

(c) in the case of a municipal district, county or village, 25 proprietary electors, or

(d) in the case of a town or city, 100 proprietary electors.

depute one or more persons to audit the books and accounts of the treasurer of the municipality for any particular period, and the cost of the audit shall be fixed by the Minister and be paid by the municipality."

Local Authorities Act

In 1906, Alberta local governments found themselves confronted with the task of developing their community infrastructure. Local governments responded to this need by making heavy debenture borrowings. By 1915, the Provincial Government became alarmed at the increasing size of public indebtedness. Hence, in 1915, the Public Utilities Act was passed which established a Board of Public Utilities Commissioners to supervise all matters which applied to local government finance.

In addition to the Public Utilities Act, the Province enacted the

Taxation Revision Act (S.A. 1919, c.22) and the Municipal Finances Commissions Act (S.A. 1920, c.28). The purpose of these acts was to examine the basis of local taxation and to determine alternative ways of reducing the public debt.

In 1923, a new Public Utilities Act (S.A. 1923, c.59) was passed. It is significant because it specifically defined the board's powers in relationship to local authorities. The major considerations are as follows:-

1) to examine public utility borrowings
2) to oversee the sale of local securities
3) to supervise local government debt
4) to review schedules of local taxation
5) to review arrears of taxes
6) to separate land from municipalities
7) to review subdivision decisions.

The 1923 act created a provincial "watchdog" over local governments. The Board of Commissioners was not under the authority of a minister; rather, it functioned independently, but its decisions could be questioned through the courts.

The 1960 Public Utilities Board Act did not alter this financial supervisory role (S.A. 1960, c.85). But what it did do was to revise provincial policy in relationship to local governments. Part III of the act, describes its relationship to local governments. These include:-

1) Debenture financing
2) Municipal tax arrears
3) Separation of land from municipalities
4) Subdivision.

It appears that by 1961 the provincial government attempted to separate matters relating to local government from other areas of concern. Firstly, under the 1923 Public Utilities Act, the board was granted the authority of acting as a securities agent for all Alberta local governments. However, in 1956 with the passage of the Municipal Financing Corporation Act (S.A. 1956, c. 3), a separate securities agency was established and it was placed under the authority of the Provincial Treasurer. Secondly, in 1961, the Provincial Government altered the role of the Public Utilities Board as a newly created Local Authorities Board (S.A. 1961, c.46) was established.

The responsibilities of the Local Authorities Board with respect to local governments are defined in Section 27 of the act:-

"27. (1) The Board has all the necessary jurisdiction and power

(a) to inquire into the merit of any application of a local authority for permission to raise money by way of debenture or on the security of stock;

(b) to supervise the expenditure of money borrowed by a local authority;

(c) to deal with the financial affairs of local authorities;

(d) to grant permission for the extension of the time for repaying the indebtedness incurred by a local authority for the cost of its public works;

(e) to separate land from an urban municipality;

(f) to order compromises of tax arrears.

(2) In addition to the jurisdiction and powers mentioned in subsection (1), the Board has all necessary jurisdiction and powers to perform any duties that are from time to time assigned to it by statute or pursuant to statutory authority."

With respect to point 2 of Section 27, the Local Authorities Board provides important services:- (Local Authorities Board, Annual Report, 1982).

"1. Applications by local authorities for authorization of debenture borrowings (the Local Authorities Board Act, the Municipal Government Act, and the School Act).

2. Applications by local authorities for use of surplus debenture funds (the Municipal Government Act, the School Act, and the Local Authorities Board Act).

3. Applications by municipalities for certificates respecting debenture borrowing by-laws (the Municipal Government Act and the School Act).

4. Applications for inquiry into the affairs of local authorities where financial difficulties are involved including fixing by Order of the terms and conditions of any resultant financial control of the authority by the Board (the Local Authorities Board Act).

5. Authorization of financial program for controlled local authorities, including New Towns (the Local Authorities Board Act, and the New Towns Act).

6. Recommendations to Lieutenant Governor in Council respecting applications by non-profit organizations for exemption from assessment and taxation of properties owned and used by the organization (the Municipal Tax Exemption Act.)

7. Applications for compromise of tax arrears from owners or from a municipality (the Local Authorities Board Act).

8. Applications by municipalities for approval to carry out local improvement work and assess the costs thereof against the properties concerned, notwithstanding the lack of consent of the required majority of owners concerned (the Municipal Taxation Act).

9. Petitions for annexation or separation of lands to or from municipalities, including the fixing of terms and conditions of such annexation or separations (the Municipal Government Act, the Local Authorities Board Act, and the County Act). The annexation Board Orders are subject to approval by the Lieutenant Governor in Council.

10. Applications for approval to acquire lands lying outside the boundaries of a municipality when consent of the adjoining municipality cannot be obtained (the Municipal Government Act).

11. Referrals by the Irrigation Council petitioning for formation, change of area, amalgamation or dissolution of Irrigation Districts, including the fixing of terms (the Irrigation Act).

12. Recommendations to the Lieutenant Governor in Council concerning matters referred to the Board (the Local Authorities Board Act).

13. Applications to authorize the amendment or rescinding of municipal tax sharing agreements when mutual agreement cannot be reached (the Municipal Government Act).

14. Applications by ratepayers for examination of procedures in determining the sufficiency of a petition for or against a local improvement (the Municipal Taxation Act, and the Municipal Government Act).

15. Applications by municipalities for establishment and maintenance of plans of insurance to cover municipal property losses and municipal legal liability to others arising out of accidents and occurrences (the Municipal Government Act)."

2.2 Functional Program Areas

In Section 2.1 it is shown that both the Department of Municipal Affairs and Local Authorities Board Acts, require that the governing provincial authorities be responsible for the implementation of specific local legislation. The purpose of Section 2.2 is to identify the current legislative mandates of Municipal Affairs. Then in Part III, we will examine the evolution of these mandates in relationship to the "time periods" which are identified in Part I. For now, a listing of all current acts which are assigned to Municipal Affairs is provided.

Local Government Administrative Supervision

The following acts provide for the regulation of local government administration in Alberta:-

- Municipal Government Act
- Municipal Elections Act
- County Act
- Border Areas Act
- Crowsnest Pass Municipal Amalgamation Act
- Drayton Valley Townsite Act
- Lloydminster Municipal Amalgamation Act
- Northeast Alberta Regional Commission Act
- Calgary - Canadian Pacific Agreement

Management of Unincorporated Provincial Local Government Areas

The following acts provide for the regulation of local government administration in unincorporated geographical areas of Alberta.

- Improvement Districts Act
- Special Areas Act
- Metis Betterment Act

Provincial Property Tax Administration

The following acts provide for the regulation of local government property tax administration.

- Municipal Taxation Act
- Municipal Tax Exemption Act
- Municipal Assessment and Equalization Act
- Municipal and School Administration Act
- Local Tax Arrears Consolidation Act
- Tax Recovery Act
- Assessment Appeal Board Act
- Municipal and Provincial Valuation Act
- Electric Power and Pipelines Assessment Act
- Agricultural Relief Advances Act

Provincial Financial Assistance

The terms of the Property Tax Reduction Act provide for intergovernmental transfers in Alberta. Also, the act provides for individual homeowner assistance grants and senior citizen subsidies.

Land-Use Planning

- Planning Act
- New Towns Act

2.3 Appellate Bodies Established to Protect the Well-being of Citizens

In Section 2.2, several functional areas are identified. It is important to realize that some of these functions have an immediate impact upon citizens, while others affect citizens in an indirect fashion. The terms of the Planning Act have an immediate impact upon the manner in which citizens can utilize private property. Also, legislation which affects property taxation is of major concern to the public. Hence, review boards have been established to protect the well-being of citizens within the context of the administrative process.

Under the Planning Act, the Alberta Planning Board has established an appeals committee with respect to subdivision concerns. Should affected parties not be satisfied, they have the right to appeal to the courts.

Secondly, the Provincial Government in 1929, established the Alberta Municipal Assessment Commission Act (S.A. 1929, c.47), and it was composed of members of the Board of Public Utilities Commissioners. Its purpose was to hear all appeals on assessments under the Town, Village, Municipal District, Improvement District, Supplementary Tax, and Equalized Assessment Acts. In 1937, an amendment act (S.A. 1937, c.51) more clearly defined its role. As the act states:-

"20. (1) There shall be an appeal to the Commission from

(a) all orders of the director made upon appeals from assessments;

(b) all orders of the director made in relation to the equalization of assessments from any municipality;

(c) all assessments made by the director; and

(d) the decision of the Court of Revision of any city subject to the provisions of this Act."

In 1938 the Assessment Act was passed (S.A. 1938, c.81), and it applied to all forms of taxation on property made by local authorities. The Assessment Act specially provided for appeals to the Municipal Assessment Commission. Under this act, land taxes in regards to the Mineral Taxation Act, Pipeline Taxation Act and the Electric Power Line Taxation Act also fell within the commissioners' jurisdiction.

When the Assessment Appeal Board Act was passed (S.A. 1957, c.2), it repealed the former Municipal Assessment Commission Act. The new board continued to function as its predecessor, but it is significant to note that it received final authority, and the new Assessment Appeal Board was not associated with the Public Utilities Commission.

Finally, the Local Authorities Board does have the capacity to function as a mechanism for expressing public concerns. The Board's independent powers

of investigation are stated in the 1982 Annual Report:-

> " The Board, of its own motion may, and upon the request of the Lieutenant Governor in Council shall, inquire into, hear and determine any matter or thing within its jurisdiction. Public hearings are generally held in respect to such inquiries with the result that the Lieutenant Governor in Council receives a report."

PART III: THE FUNCTIONAL EVOLUTION OF MUNICIPAL AFFAIRS

In Part II, the major functional components were identified and these functions were placed within the context of a provincial-municipal administrative framework. What is done in Part III is to discuss the evolution of Municipal Affairs' legislative mandate.

3.1 The Establishment of the Department of Municipal Affairs, 1887-1912

In 1867, the Government of Canada began to consider the construction of a transcontinental railway. It was a major aim of confederation to establish a viable national economy and the federal government expanded railway lines to reach the far distant west. Yet if a western agricultural and resources economy was to be built, roads linking producers to railways had to be constructed. This fundamental requirement behooved the Territorial Government to devise a system of public administration which met the needs of western settlement.

In 1887, the Territorial Government created a special purpose structure under the Statute Labour Districts Ordinance (Ordinances North-West Territories No. 12, 1887).[3] The ordinance provided that the Lieutenant Governor could define the area of the district, and appoint a resident as returning officer. It was the returning officer who was responsible for calling a public meeting to elect an overseer.

It was the overseer who was responsible for assessing all male inhabitants and property owners for a road tax.[4] The road tax was devised in terms of number of days for road works or a resident could commute statute labour by remitting $1.50 per day of assessment. The overseer was also responsible for maintaining tax rolls and to provide such information to the Lieutenant Governor.

The 1887 ordinance was repealed by the passage of the Statute Labour and Fire Ordinance of 1888 (Ordinances of North-West Territories 1888, c.9). The 1888 ordinance did not alter the role of the overseer as a tax authority, but it did make fire districts congruent with statute labour areas. It also specified that a district would comprise an area of 144 square miles not situated in an incorporated area.

In 1890, the size of the districts was more clearly delimited (Statute Labour and Fire Ordinance: Ordinances North-West Territories 1890, No. 7). That is, the district had to contain a population of not less than eight persons per 36 square miles. Also, this legislation contained provisions covering the assessment of companies and non-residents.

Again, in 1895 and in 1896, new Statute Labour and Fire District Ordinances were introduced (Ordinances North-West Territories 1895, No. 20 and 1896, No. 26). These enactments provided that a district would be the size of a township. The ordinances also required that the minutes of public meetings

be kept, and district accounts be audited. Moreover, the overseer assumed the roles of fire guardian and weed inspector.

The 1897 Statute Labour Ordinance (Ordinances North-West Territories 1897, No. 10) is most significant to the evaluation of Municipal Affairs. This ordinance shows that the Territorial Government realized supervision by the senior level of government was necessary. The 1897 ordinance was assigned to the Commissioner of Public Works, and the Commissioner's supervisory responsibilities were defined. These were:

1) the Commissioner was placed in charge of controlling land usage.

2) The Commissioner was placed in charge of supervising the elections of overseers.

3) The Commissioner was responsible for monitoring the planning of local work projects.

4) The Commissioner was responsible for assessment administration.

5) The Commissioner was responsible for supervising road works in the districts.

6) The Commissioner was responsible for paying the assessment on Crown lands.

The 1897 ordinance confirmed the local overseer was to be an elected official, was to conduct assessment, and was to manage road works. This is congruent with the previous ordinances. However, the 1897 ordinance made the overseer accountable to the Commissioner of Public Works.

Moreover, in 1897, the Territorial Government introduced the Public Works Ordinance (Ordinance North-West Territories 1897 No. 17). This ordinance established a Public Works Department and defined survey and engineering responsibilities.

In 1898, the Territorial Government provided amendments to both the Statute Labour and Public Works Ordinances. By amendment, the Statute Labour Ordinance was renamed as the Local Improvement Ordinance 1897 (Ordinances North-West Territories 1898 No. 28). The Public Works Ordinance was amended so as to enable the Commissioner to make financial assistance available to the districts (Consolidated Ordinances North-West Territories 1898, c.9). As the ordinance states:

> "47. In order to aid local improvement districts the Lieutenant Governor in Council may direct that out of any legislative appropriation made for that purpose there shall be paid to the overseer of any local improvement district for the benefit of the district an amount for each day upon which local improvement work has been done; but no such grant shall be paid unless the overseer of the district has on or before the first day of November of the year for which the grant is to be paid forwarded to the commissioner the returns required by The Local Improvement Ordinance."

By 1897, the North-West Territorial Government had developed a system for constructing roadways. The central authority had established local governmental units to tax citizen for road construction and maintenance. It had established a territorial department to supervise local efforts by providing technical and financial support.

It was in 1897, that the Commissioner of Public Works established a Local Improvement Branch to handle the administrative needs of the local government system. Basically, the branch kept local tax and administrative records. The branch provided the Commissioner with necessary information to supervise local authorities.

In 1901, it appears that the Territorial Government realized that it could not have a viable system of local road construction unless the population base could financially support it. Hence, the legislature enacted a new Local Improvement Ordinance in 1901 (Ordinances North-West Territories 1901, c.27). The 1901 ordinance was replaced by the passage of another Local Improvement Ordinance in 1903 (Ordinances North-West Territories second session 1903, c.24). It is interesting to compare the 1901 and 1903 enactments in terms of senior-local governmental relations. The 1901 ordinances provided for strong senior level regulation, but the 1903 enactment made for a more decentralized system. It was the 1903 ordinance which really established a tradition of viable self-government.

The 1901 and 1903 ordinances are also important to the historical evolution of Municipal Affairs. The 1903 ordinance established "large" improvement districts of an area not less than 108 but not greater than 216 square miles. In turn, the large districts could be subdivided into smaller improvement districts governed by an elected council. Thus, the role of the overseer, and the system of public meetings, was replaced by an elected governing council.

What is significant to the evolution of Municipal Affairs, is that the administration of the "large" districts was totally assumed by the Local Improvement Branch (Public Works). Moreover, while the "small" district councils were authorized tax and spending powers, they had to report this information to the Local Improvement Branch.

Alberta became a province in 1905, and in 1906 its legislature enacted a new Public Works Act (S.A. 1906, c.10). This provincial act did not differ significantly from the territorial ordinances. However, the 1906 Public Works Act contained no provisions for financial assistance. This suggests it was the intention of the Provincial Government to force local governments to finance their own service needs. As before, a Local Improvement Branch was established.

The Local Improvement Ordinance (Amended 1904 and 1906) was not repealed until the passage of the Local Improvement Act of 1907 (S.A. 1907, c.11). The 1907 act did not change the system of "large" and "small" districts. It was the responsibility of the "small" districts to conduct their own assessments and report tax and spending information to the Local Improvement Branch.

Assessment in the "large" districts was conducted by the Local Improvement Branch.

It appears that the tax burden in the "small" districts was not particularly oppressive. However, it appears that the councils could not competently construct roads. The Minister of Public Works in his 1909 road report (Annual Report 1909) stated that while the local governments had adequate financial resources, they had completely failed to utilize them effectively. The Minister also advocated a major reform of the Local Improvement Act.

However, before examining the reforms which were implemented in 1912, two other dimensions are also important.

So far, this section has focused upon the development of rural administration. The Territorial Government provided for the incorporation of higher population density communities under the Municipal Ordinance, and for rural centers under the Village Ordinance. The North-West Municipal Ordinance was established in 1883 and the Unincorporated Town Ordinance in 1893.

The Municipal Ordinance provided for the self-governance of large populated centers in the territories (Consolidated Ordinances, 1898, c.70). In Part I of the ordinance, the terms of incorporation were established. Part II defined the duties and powers of its council, and it established its executive officials. Parts III, IV and VI dealt with property taxation. Part V enabled municipalities to incur debenture borrowings. Part VII dealt with land management.

The Unincorporated Town Ordinance was enacted to govern small rural settlements. This ordinance was repealed with the passage of the Village Ordinance in 1895 (Consolidated Ordinances North-West Territories 1898, c.72). Basically, small towns (villages) were treated similarly to that of "large" improvement districts in which an elected overseer was responsible to the Commission of Public Works.

It is also significant to note that while the territorial administration was primarily concerned with road development, the provincial government enlarged its concern as it turned its attention to community services.

In 1907, the provincial legislature enacted the Public Health Act (S.A. 1907, c.12), which established a Provincial Board of Health. Each municipality was required to set up a local board. In rural areas, the act called for the establishment of health districts. The construction of hospitals (facilities) was to be undertaken according to the Public Works Act and the local boards and districts had to support a hospital system by relying upon property assessment.

Also, in 1907 the provincial legislature enacted the Educational Tax Act (S.A. 1907, c.18), which established a uniform rate of school taxation for rural areas. That is, while districts were set up under the School Ordinance, there was a need to establish a tax on land which was not located in organized

districts. This act was administered by the Local Improvement Branch (Public Works).

In 1912, the Provincial Government introduced a "flurry" of legislation which would reorganize local administration.[5] However, while the reorganization began in 1912, it was not completed until 1918. A summary of the major acts is provided.

Department of Municipal Affairs Act

The Department of Municipal Affairs Act was passed in 1912 (S.A. 1911-12, c.11) and the former Local Improvement Branch (Public Works) was abolished. This departmental act empowered the minister to establish administrative standards for all local authorities. Secondly, the original mandate provided that the department was to inspect all municipal books, records, and accounts. The Minister was also responsible for settling all disputes arising between different municipalities. Finally, the Minister was charged with the implementation of the Town, Village, and Educational Tax Acts.

The Town Act

In 1912, the Provincial Government enacted the Town Act (S.A. 1911-12, c.2) and it repealed the former Municipal Ordinance. This act provided for the incorporation of large communities. Part II of the act defined the structure of administration. Part III, established provisions governing municipal elections. Part IV, defined the powers and duties of councils, the terms of municipal borrowing, and land appropriation. With respect to borrowings, the act stipulated debentures were to be approved by Municipal Affairs. Part V regulated municipal finance. Parts VI and VII dealt with assessment and taxation. Part VIII regulated highways, public places, and legal actions by or against towns. Part IX, defined fines and penalties, and Part X contained miscellaneous provisions.

In 1927, a new Town Act (S.A. 1927, c.55) was implemented, and in 1934 town affairs were merged with villages under the Town and Village Act (S.A. 1934, c.49).

The Rural Municipality Act (S.A. 1911-12, c.3)

The passage of the Rural Municipality Act was a hallmark reformation of rural local administration. The act was intended to reorganize the "small" improvement districts into fully incorporated units. The act provided the authority for a land survey subdividing various areas into tracts of eighteen square miles or 324 square miles. Hence, two types (size) was established. In Part II, the act defined the structure of local government. Part III provided regulations governing elections. Part IV provided regulations respecting executive officers. Part V defined the powers and duties of the councils. Part VI dealt with temporary and long-term municipal borrowings. Also, all borrowings were subject to the approval of the Minister. Part VII dealt with assessment and taxation provisions. Finally, Part VIII contains miscellaneous provisions.

In 1918, the name of the Rural Municipality Act was changed to the Municipal District Act (Amendment Act: S.A. 1918, c.49). A new Municipal District Act was implemented in 1926 (S.A. 1926, c.41), and in 1954 (S.A. 1954, c.70).

The Village Act

In 1907, the Provincial Government repealed the Village Ordinance with the passage of a new Village Act (S.A. 1907, c.10). The 1907 act established a locally elected council. The act defined organizational structure, assessment and tax rules, and it specified the duties of village councils. However, villages were not incorporated and were under the authority of the Minister (Public Works).

In 1913, the Provincial Government passed a new Village Act (S.A. 1913, c.5), and it provided for the incoproration of all villages. It was similar to the 1907 act as it defined organizational structure, assessment and taxation rules, and the duties of village councils. However, it also differed in that villages received the authority to issue debenture borrowings. As in the case of the Town and Rural Municipality Acts, such borrowings were subject to approval from the Minister.

A new Village Act was implemented in 1927 (S.A. 1927, c.54). In 1934, village and town affairs were merged under the Town and Village Act (S.A. 1934, c.49).

The Public Utilities Act

In 1915, the Provincial Government enacted the Public Utilities Act (S.A. 1915, c.6). Previously, it was shown that the Minister of Municipal Affairs directly supervised debenture borrowings under the Town, Village, and Rural Municipality Acts. In 1915, this function was assumed by the Board of Public Utility Commissioners.

3.2 Municipal Affairs: 1912-1930

In the previous section, the origins of the Department of Municipal Affairs were summarized and some of the functional areas were also examined. This section will focus upon the functional development of the Department between 1912 and 1930.

3.2.1. Local Government Administrative Supervision

In 1912, the Department of Municipal Affairs was assigned the responsibility of organizing a new system of local government (Annual Reports, Municipal Affairs: 1912, 1913, 1914). This system which was defined in the Town, Village, and Municipal Districts Acts, resulted in the incorporation of 6 cities, 48 towns, 102 villages, and 162 municipal districts (Budget Speech, C.R. Mitchell 1921). While the Department was steeped in reorganization and incorporation work from 1912 to 1914, population growth in the province was slow. From 1914 to 1921, 4 towns, 15 villages, and 5 municipal districts were

incorporated (Budget Speech: C.R. Mitchell 1921). Alberta had established a stable settlement pattern.

Local authorities had to conduct their affairs according to the terms of their incorporation acts, and Municipal Affairs was responsible for inspecting the operations of local governments. Also the local authorities needed to consult with the department to determine what the terms of incorporation meant in relationship to their present circumstances. The 1922 Annual Report states:

> "The Department is consistently appealed to in connection with the interpretation of the different Municipal and other related Acts. This requires time and close attention, but it is a service which must be rendered in order to secure a uniform administration of Acts... . There is a necessity for not only a knowledge of the law, as it now stands, but also some knowledge as to the historical aspect of all our Acts."

The Department through a process of inspection and consultation was able to establish a means of applying provincial acts in such a manner that applied to the unique circumstances of different Alberta communities.

Also, in 1921 the provincial government enacted the Border Areas Act (S.A. 1921, c.66) which provided that border communities could enter into service and taxation agreements with communities located in adjacent provinces. This act is currently in effect.

Finally, in 1929 the Union of Municipalities Act was enacted (S.A. 1929, c.48), and it provided that Municipal Districts and Improvement Districts could enter into contractual arrangements for taxation and service delivery purposes. This act was repealed in 1942 by the Revised Statutes of Alberta.

3.2.2 Property Tax Administration

The period from about 1918 to 1930 was in retrospect disappointing because the province experienced a slow rate of economic growth.[6] This situation meant that the local authorities were placed in a difficult financial position. That is, the local authorities found themselves tied to a system of taxation (land) which yielded an insufficient revenue source to develop their community infrastructure.

The question of public health, education, and public utility development (in a slow growth situation) was given priority attention in the Budget Speech of 1919. Basically, the Department of Municipal Affairs played a key role for managing a property taxation system that was vital to the survival and well-being of Alberta's local communities.

Between 1912 and 1930, several major developments in property tax administration took place. First, the province levied additional property taxes which were related to natural resources. Secondly, the province established additional tax levies to assist local government in developing their community infrastructure. Thirdly, the province established a system for equalizing the tax burden throughout Alberta. Fourthly, the province

instituted a more effective system of tax collections, and finally, the province instituted additional financial measures which were aimed at assisting agriculture.

Additional Land Tax Acts Related to Natural Resources

- In 1914, the Province enacted the Wild Lands Tax Act (S.A. 1914, c. 3). The aim of this tax was to draw revenues from unused lands which were being held by speculators. Municipal Affairs collected the tax, and the revenues were then turned over to the Provincial Treasurer. The act was repealed in 1949 (S.A. 1949, c.108).

- In 1914, the provincial government enacted the Timber Areas Tax Act (S.A. 1914, c.15). This act placed an assessment upon provincial woodlands. It was collected by Municipal Affairs and the proceeds were forwarded to the Provincial Treasurer. In 1936 (Amendment Act 1936, c.42) this act was transferred to the Department of Land and Mines, and in 1954 it was repealed (S.A. 1954, c.103).

- In 1923, the provincial government enacted the Mineral Taxation Act (S.A. 1923, c.32). This act placed a tax on land which was being mined. It was collected by Municipal Affairs and the proceeds were forwarded to the Provincial Treasurer. In 1941, responsibility for this act was transferred to the Department of Land and Mines (S.A. 1941, c.50). However, Coal (land) taxation was not included in the transfer. Moreover, the 1941 act provided for appeals to the Municipal Assessment Commission (Department of Municipal Affairs). The Minerals Taxation Act of 1945 (S.A. 1945, c.9) transferred responsibility for coal (land) taxation to Lands and Mines.

Additional Local Property Assessments

- In 1918, the provincial government enacted the Supplementary Revenue Act (S.A. 1918, c.6). This act had a profound influence, not only as a means of funding social services, but it also provided for a system of equalized tax assessments. What this tax did was to provide a funding mechanism for school construction (Budget Speech, C.R. Mitchell, 1919). Local communities were to levy their normal level of assessment. However, after considering the overall variation on assessment throughout the province, an additional tax on every dollar of assessed valuation was levied by the province. The Supplementary Revenue Act was repealed by the Social Services Tax Act in 1936 (S.A. 1936, c.12), and section 15 states that the supplementary tax is to be collected with an additional tax to cover the costs of indigent care. Hence, education and public welfare measures were financed in this fashion. The Social Services Tax was repealed in 1947 (S.A. 1947, c.34).

- In 1919, the Provincial Government enacted the Municipal Hospitals Act (S.A. 1919, c.8). The terms of this act required incorporated and non incorporated communities to establish hospital boards and

districts. In unorganized areas Municipal Affairs did hospital assessment, provided for collection, and then turned the revenues over to the Public Health Department. In 1929, a new Municipal Hospitals Act (S.A. 1929, c.33) was passed and no apparent change occurred. That is, in the incoprorated areas, organized hospital boards utilized existed local tax machinery. However, in the Improvement Districts, Municipal Affairs was responsible for the levy, and Public Health provided the service.

- Also in 1919, the Provincial Government enacted the Mental Defectives Act (S.A. 1919, c.21). This act provided that local authorities levy a special tax for the support of a home for mentally incompetent children located in Edmonton. In the Improvement Districts Municipal Affairs was responsible for the levy.

System of Equalized Property Tax Assessment

Section 3 of the Supplementary Revenue Act called for the establishment of the Alberta Assessment Equalization Board. The purpose of this Board was to provide a mechanism for the equalization of the property tax burden throughout Alberta. The Supplementary Revenue Act empowered the Board to examine the overall incidence of property taxation on a community basis and the Board made additional assessments which equalized the amount of assessment throughout the province. Municipal Affairs collected the Supplementary Tax and it reimbursed the local authorities in such a manner that all communities received an equal amount of financial resources.

In 1922, the Assessment Adjustment Act (S.A. 1922, c.14) expanded the powers of the Assessment Equalization Board by empowering the Board to function as an appellate body with respect to assessment and tax recovery. The Municipal Assessment Commission (Public Utilities Board) was the final appellate authority. The role of the Municipal Assessment Commission was abolished in 1957 with the passage of the Assessment Appeal Board Act (S.A. 1957, c.2).

System of Tax Collection

The annual reports (Department of Municipal Affairs) and the budget speeches between 1912 and 1920, indicate that the province faced difficulty in collecting property taxes as the rural areas of the province were constantly in arrears.[7]

In 1919, the Provincial Government enacted the Tax Recovery Act (S.A. 1919, c.20). This act empowered local authorities to impound land and property who's taxes were in arrears. While a new Tax Recovery Act was passed in 1922 (S.A. 1922, c.25), it was not until 1929 (S.A. 1929, c.39) when a fully developed tax recovery system emerged. The 1929 act was repealed by a new Tax Recovery Act in 1938 (S.A. 1938, c.82). The 1938 revision made a more detailed regulation, but it was the 1929 act which really established the basis for an effective system.[8]

The 1929 Tax Recovery Act outlines the process for collecting arrears. First, a provincial tax arrears list is drawn from the local tax rolls. Then the property owner receives notification and a caveat is placed on the property. The citizen also receives a warning from the Land Titles Office. Should citizens not make good on their arrears, the property is then taken. The act provides for both public and private sales on forfeited property. When the property is sold, the caveat is removed.

While the Tax Recovery Act has been amended many times, the system has not been changed. Municipal Affairs supervises the implementation of the Tax Recovery Act and provides consultative services to local authorities in reference to collections.

Additional Financial Measures

- In 1915, the provincial government enacted the Irrigation Districts Act (S.A. 1915, c.13) and a new act was passed in 1920 (S.A. 1920, c.14). Responsibility for this act was originally assigned to the Department of Public Works, but in 1922 it was transferred to the Department of Railways and Telephones (S.A. 1922, c.84). The terms of the act called for the creation of Irrigation Districts who were empowered to elect a council. The council was charged with the authority to make a levy upon water uses, and the Provincial Treasurer controlled debenture borrowings. In 1968, a new Irrigation Act was enacted (S.A. 1968, c.49). The 1968 act maintained the structure of the Irrigation Districts, governed by local council, but approval of borrowings was placed under the supervision of the Local Authorities Board. Moreover, appeals on local rate decisions of the council can be made to the Alberta Assessment Appeal Board. Finally, appeals on water damage are handled by the Public Utilities Board.

- In 1918, the provincial government enacted the Municipal Hail Insurance Act (S.A. 1918, c.20) and the Municipal Hail Insurance Guarantee Act (S.A. 1918, c.9). Basically, the Municipal Districts and the Local Improvement Districts were to establish a fund to cover crop damage. The individual farmer was required to pay a fee and the local authority was empowered to borrow for this purpose.[8] The 1918 Municipal Hail Insurance acts were not repealed until 1976 (Statutes Repeal Act, S.A. 1976, c.51), and today the hail insurance program is implemented through the Department of Agriculture.

- In 1918, the provincial government enacted the Municipal District Seed Grain Act (S.A. 1918, c.10). This act was placed under the supervision of Municipal Affairs and it provided guarantees for municipal district borrowings. The 1918 act was repealed by the Municipal Districts Relief Act of 1920 (S.A. 1920, c.31). The Department of Municipal Affairs retained control and the Municipal Districts provided loan capital for farmers to purchase seed grain. Farmers were required to reimburse the Municipal Districts and the

terms of the Tax Recovery Act applied should a default occur. The 1936 Agricultural Relief Advances Act (S.A. 1936, c.33) repealed these acts.

- In 1921, the provincial government enacted the Drainage Districts Act under the supervision of the Public Works Department (S.A. 1921, C.57).[10] This act provided for citizens to petition the Minister for incoproration. Following approval, the act provided for a locally elected board of trustees to govern the district. However, the act also created a Provincial Drainage Council to supervise the actions of the local trustees. The local trustees could petition the Public Works Department to do the construction work. Public Works then charged the district, and the costs resulted in additional increases to the assessment made on the land(s) which benefitted from the project. The assessment was implemented in incorporated areas by the local tax authority. However, in the Improvement Districts, Municipal Affairs provided for assessment and collections.

3.2.3 Land Use Planning

In 1913, the provincial government enacted the Town Planning Act (S.A. 1913, c.18) and it provided that towns, on a voluntary basis, could prepare a land-use plan. However, should a local authority do so, the plan had to receive approval from the Minister of Municipal Affairs. Private citizens could appeal directly to the Minister should the plan cause them difficulty. Also, the Minister was given the authority of establishing a "board of commission" for advisory purposes.

The 1913 act was repealed by the Town Planning Act of 1929 (S.A. 1929, c.49). This new act retained the right of local authorities to establish plans on a voluntary basis with the Minister of Municipal Affairs approval. However, the 1929 act expanded planning in certain ways. First, a Town and Rural Advisory Planning Board was created to assist the Minister. Secondly, it empowered local authorities with the authority to establish formal Town Planning Commissions and it provided citizens with the right of appeal to the Public Utilities Board. Also it provided for the establishment of Regional Planning Commissions.

In 1928, the Town Planning and Preservation of Natural Beauty Act was passed (S.A. 1928, c.48), and responsibility was assigned to the Public Works Department. Then in 1929, a new Town Planning Act was again placed under Municipal Affairs (S.A. 1929, c.49). However, in 1934, the act was again transferred to Public Works (Amendment Act, S.A. 1934, c.66). Between 1934 and 1948 Public Works was responsible for land-use planning. The act was subsequently transferred to Municipal Affairs in 1948 (Amendment Act 1948, c.54). The 1929 act is not discussed but it is given consideration in the history publications pertaining to Transportation and Public Works.

3.2.4 Management of Unincorporated Local Government Areas

The Local Improvement Act 1907 (S.A. 1907, c.11) created two classes of Improvement Districts. The "smaller districts" were to be governed by an

elected council and the councils were given the authority to make taxation and expenditure decisions. Subsequently, these "small districts", together with municipalities created under the Rural Municipalities Act were reorganized as Municipal Districts in 1918. This left the "large improvement districts" under the supervision of Municipal Affairs.

The 1918 Improvement Districts Act (S.A. 1918, c.48) repealed the 1907 act and in Section 24 specified that the act applied to what was previously known as "large districts". The 1918 act placed responsibility for the management of Improvement Districts under the supervision of Municipal Affairs for taxation purposes. It charged Municipal Affairs with the assessment and collection of all land taxes in the districts. Moreover, it established a grazing lands tax for Alberta residents who had rented federal lands.

In 1921, the provincial government implemented a new Improvement Districts Act (S.A. 1921, c.24). The 1921 act is more complex than its predecessor for it not only dealt with taxation, but it also dealt with the services to be provided in districts.

Firstly, Municipal Affairs was to impose assessments and collections for the Supplementary Revenue, Wild Lands, Education, Municipal Hospitals, Mental Defectives, Drainage District Acts. Moreover, Municipal Affairs implemented the terms of the Municipal Districts Seed Grain and Municipal Districts Relief Acts in the districts.

Secondly, the act charged the Minister of Public Health with the responsibility of providing hospital care, and the Minister of Education was responsible for operating the schools. The Minister of Public Works did the actual construction of all improvements, and this applied to school and hospital facilities, roads, and bridges, and for the operation and maintenance of public facilities. Municipal Affairs in turn, used property levies, to reimburse the Public Health, Education, and the Public Works Departments for their services.

In 1927, the Provincial Government again introduced a new Improvement Districts Act (S.A. 1927, c.53). Basically, the new act maintained the joint system of Municipal Affairs providing revenue and other provincial departments delivering the services. Sections 8 to 38 provided for assessment. Sections 40 to 52 dealt with tax collections. Section 53 to 56 defined the responsibilities of the Ministers of Public Works and Public Health.

The 1927 act was in effect until the provincial government implemented a new Improvement Districts Act in 1947. The 1947 act did not alter the nature of tax and service provision in the Improvement Districts. However, the 1947 act, stated that Municipal Affairs was to submit an annual budget for the districts. Previously the Department of Public Works was responsible for the administration of district expenditure accounts.

3.2.5 Other Related Functions

- The Department of Municipal Affairs was also involved in Veterans

Affairs. That is, under the Soldiers Home Tax Exemption Act (S.A. 1918, c.40), veterans received certain exemptions from property taxation. Also, similar tax benefits were provided for WWII veterans.

- Prior to the passage of the Department of Public Health Act (S.A. 1919, c.16), a Public Health Branch had been established in 1905 by the Department of Agriculture. The Public Health Branch was responsible for implementing the Public Health Act, Public Health Nurses Act, Registered Nurses Act, Municipal Hospitals Act, Hospitals Act, Venereal Diseases Act, Medical Professions Act, Pharmaceutical Associations Act, Dental Association Act, Marriage Act, and the Vital Statistics Act. Responsibility for the Public Health Branch was transferred to the Provincial Secretary in 1918 and then on to Municipal Affairs later in the same year. While the branch became a separate department in 1919, Municipal Affairs was indirectly accountable, as its Minister was also placed in charge of the Public Health Department.[11]

3.3 Municipal Affairs: 1930-1950

By 1930, the major departmental functions were established, and the inspection and tax administration functions were the most prominent. While these functions were maintained, the effects of depression and war affected the functioning of Municipal Affairs.

3.3.1 Local Government Administration

The Provincial Government enacted a new Town and Village Act in 1934 (S.A. 1934, c.49), and it repealed the former Town and Village Acts.[12] The purpose of the new act was to create uniform standards for higher population density communities.

3.3.2 Property Tax Administration

- In 1925, the Provincial Government enacted the Industries Assessment Act (S.A. 1925, c.10). This act provided that the local authorities could levy a fixed assessment on land used for industrial purposes. The fixed assessment could not be less than 10% of the improved value and agreements could be established for a period of 20 years. In 1937, a new Industries Assessment Act (S.A. 1937, c.54) was passed, and it increased the amount of assessment from 10% to 25%. In 1947, the legislature amended the act (S.A. 1947, c.51) and it provided that all agreements after 1945 had to be approved by the Minister of Municipal Affairs. The act was repealed in 1957 (Repeal Act: S.A. 1957, c.33), and a new Industries and Utilities Act was passed in 1960, (S.A. 1960, c.48).[13] The 1960 Industries and Utilities Act established a new system of taxation. Firstly, the act empowered the Assessment Commissioner to assess all plant facilities at their actual value. A Provincial-Municipal Advisory

Committee (established O.C. 136/59) was granted the authority to review assessments and to make recommendations to the Minister of Municipal Affairs. The implementation of the industries tax policy was then charged to Municipal Affairs. Finally, the Industries and Utilities Act was repealed by the passage of the Electric Power and Pipe Line Act of 1961 (S.A. 1961, c.29).

- In 1929, the Provincial Government established limited powers for a local authority to use the taxation machinery of another local authority. This applied to school taxes and debenture charges on land under the Tax and Rate Collection Act (S.A. 1929, c.46), and this act was repealed by an amendment to the School Taxation Act (S.A. 1945, c.48) in 1945.

- The Provincial Government also established new property assessments on land used by companies to transmit energy. The Electric Power Line Taxation Act was enacted in 1929 (S.A. 1929, c.26), and the Pipe Line Taxation Act was passed in 1933 (S.A. 1933, c.54).[14] Both acts were repealed in 1961 (An Act To Repeal Certain Acts of the Legislature, S.A. 1961, c.76) and a new Electric Power and Pipe Line Assessment Act was passed (S.A. 1961, c.29) in 1961.

- In 1935, the Provincial Government enacted the Local Tax Arrears Consolidation Act (S.A. 1935, c.53). Basically, this act established a procedure for the payment of arrears. All arrears could be grouped and remitted through five installments.

- In 1938, the Provincial Government enacted the Assessment Act (S.A. 1938, c.81).[15] This act related to all forms of property taxation under the Town and Village, Municipal District, Improvement District, Special Areas Acts. It provided for provincial-wide procedures and established a uniform approach to be used by the local governments.

3.3.3 Management of Special Unincorporated Local Government Areas

- In 1926, the federal and provincial governments agreed to a transfer of certain lands, mines, and minerals which were being held by the national government. Pursuant to the Transfer of Public Lands Act (S.A. 1926, c.69), Alberta received large tracts of territory. In 1927, an act respecting the Tilley East Area (S.A. 1927, c.45) provided that a board be established to govern this area. The Provincial Secretary was placed in charge of the Alberta Natural Resources Act (S.A. 1930, c.21) which repealed the 1926 agreement. Also in 1930, the Administration of Natural Resources (temporary) Act (S.A. 1930, c.22) was placed in the hands of the Provincial Secretary. The Temporary Administration Act was then repealed by the passage of the Provincial Lands Act (S.A. 1931, c.43) and in 1931 the Department of Lands and Mines was established (S.A. 1931, c.42). The Department of Lands and Mines was assigned the responsibility of managing resources but it did not deal with the

adminstration of the area. Rather, the Tilley East Area Act was placed under Municipal Affairs.

- In 1932, the Berry Creek Area was organized (S.A. 1932, c.55) and a governing board was established. In 1934, the Tilley East and Berry Creek Areas Act (S.A. 1934, c.61) placed these two areas under a single managing board. By an amendment (S.A. 1935, c.68), the Tilley East and Berry Creek Areas were reconstituted as special municipal areas. Then, in 1939, a new Special Areas Act (S.A. 1939, c.34) was passed, and it established a single provincial board to oversee the Tilley East, Berry Creek, Sounding Creek, Sullivan Lake, Neutral Hills, and the Bow West Special Areas.[16] The Department of Lands and Mines assumed responsibility for the act; however in 1949, the Special Areas Act was transferred to Municipal Affairs (Amendment Act, S.A. 1949, c.95). In 1964 a new Special Areas Act was passed (S.A. 1964, c.87) and, presently the department continues to oversee the special areas.

- The Canadian Indian Act does not provide settlement rights and privileges for the Métis. Because the Métis are a landless group, the provincial government enacted the Métis Population Settlement Act in 1938 (S.A. 1938, c.6, Second Session). However, it was not until 1940 that a fully developed settlement scheme was implemented. The Métis Population Betterment Act (S.A. 1940, c.6) authorized the Minister of Public Health to encourage groups of Alberta Métis to form settlement associations.[17] Upon the satisfaction of the Minister, land was transferred from the Department of Lands and Mines pursuant to the Provincial Lands Act. These lands were placed under the Minister who acted with the authority to implement the terms of the Improvement Districts Act. The settlement areas were exempt from provincial taxation, but the Minister levied a minimum tax on the associations. In 1944, the Department of Public Welfare Act was passed (S.A. 1944, c.6), and a Métis Rehabilitation Branch was established. In 1980, responsibility for Métis settlement areas was transferred to Municipal Affairs and a Métis Development Branch was established (O.C. 9191/80).

- Municipal Affairs implements the terms of the Improvement Districts Act. As such, it is the local authority for the districts. During this time period, rural authorities were held responsible for certain conservation, weed control, and infestation programs implemented by the Department of Agriculture. In 1945, the Provincial Government enacted the Agricultural Service Board Act (S.A. 1945, c.19).[18] Under the act, Agriculture established advisory boards to assist Municipal Districts and Improvement Districts. Also, Agricultural Service Boards were established in the Special Areas as of 1946. (Dept. of Agriculture Annual Report, 1946, p. 69), however, not until 1969 did the Agricultural Service Board Act specifically mention the Special Areas. (Amendment Act: S.A. 1969, c.4). This act is still in effect today.

- In 1947, the Provincial Government enacted the Communal Property Act (S.A. 1947, c.16). The purpose of the act was to control the acquisition and disposal of land held by Hutterite and Doukhobor colonies. The act provided that all lands held as of March 1944 had to be registered with the Department of Municipal Affairs. The 1951 Amendment Act (S.A. 1951 c.13) stipulated should a person wish to purchase, sell, or lease communal land, he would have to make application to the Director of the Municipal Assessment Commission. Hence, Municipal Affairs was given the authority of assuring that land taxes were remitted on these properties. Also the 1951 amendment limited the size of communal farms in defined areas of the province. By amendment, in 1960, the director of assessments function was altered as a Communual Property Control Board was established (S.A. 1960, c.16). The Communal Property Act was repealed in 1972 (S.A. 1972, c.103).[19]

3.3.4 Provincial Financial Assistance

The development of provincial financial assistance has its origin in the struggle Alberta faced during the depression of 1929. Previously, it was noted that municipal revenues were generated through a provincial system of land taxation, and the local authorities relied upon debenture borrowing to finance capital development. The effect of depression and unemployment brought with it increased demand for public social services. This section outlines the Provincial Government's policies which established the means for coping with the depression. The need for provincial financial assistance created a new role for Municipal Affairs.

Debt Relief

The Provincial Government instituted several measures which removed debt restrictions so that local authorities could borrow additional funds more easily. In 1932, the Cities and Towns Emergency Borrowing Powers Act was passed (S.A. 1932, c.11). This act afforded local authorities an ability to borrow funds on a temporary basis to cover shortfalls on their operating expenditures, and unpaid taxes were pledged as security. The act was repealed in 1953 (Repeal Act, S.A. 1953, c.19). In 1934, the Local Authorities Borrowing Guarantee Act was passed (S.A. 1934, c.56). This act stipulated that the Provincial Government would guarantee the repayment of debts incurred by School, Hospital, Municipal, and Improvement Districts, and the Special Areas. The act was repealed by the 1980 Revised Statutes. Finally, the Government of Canada enacted the Municipal Improvements Assistance Act in 1938. This federal legislation established a national fund for local governmental debenture borrowings. In 1939, the Alberta Government passed its own Municipal Improvements Assistance Act (S.A. 1939, c.24) and this act provided enabling authority for its local governments to enter into loan agreements with the Federal Government. The Municipal Improvements Assistance Act (Alberta) was repealed by the 1980 Revised Statutes.

Social Assistance

In 1934, the Provincial Government enacted the Relief Liability Act (S.A. 1934, c.64), which required the local authorities to provide relief to indigent persons. Responsibility for relief was originally placed under Municipal Affairs and the act defined relief as an assistance, either goods or financial aid. When responsbility was transferred to Public Health (O.C. 1204/35), local governments continued to provide social assistance, however relief was funded through an additional levy on property. In 1936 relief and educational support were combined under the new Social Service Tax Act (S.A. 1936, c.12).

In 1936, the Provincial Government enacted the Bureau of Relief and Public Welfare Act (S.A. 1936, c.34), and a commissioner managed the operations of the Bureau. The Bureau was empowered to determine the amount of individual relief and the commissioner had the authority to demand remittance from the local authorities. In 1937, the Bureau was transferred from Public Health to Municipal Affairs (O.C. 45/37) and in the same year, it was transferred back to Public Health (O.C. 790/37).

In 1939, a more fully developed Bureau of Public Welfare Act emerged (S.A. 1939, c.40). Section 27 states that relief was to be construed with the Town and Village and Municipal Districts Act. Hence, the local authorities were formally assigned welfare service, and, in the Improvement Districts, Public Health provided indigent care. In 1970, the Bureau of Public Welfare Act was repealed with the passage of the Social Development Act (S.A. 1970, c.104). This act provided that the Social Development Department could assume managerial responsibility for social assistance. By 1983, Social Services and Community Health totally assumed responsibility for public welfare services.

Agricultural Relief

In 1927, the Provincial Government passed an act respecting the compromise of outstanding Seed Grain and Relief Indebtedness (S.A. 1927, c.52). The act was known as the Tax Consolidation Act and it established a Tax Consolidation Board to make recommendations pursuant to farm indebtedness arising out of the Seed Grain Act, Provincial Relief Act, and the Live Stock Encouragement Act. All of these acts advanced funds to farm enterprises and they were subject to repayment. The Tax Consolidation Board attempted to work out some type of compromise settlement and it had the authority to utilize the terms of the Tax Recovery Act. Responsibility for this act was placed with the Minister of Municipal Affairs.

In 1936, the Agricultural Relief Advances Act (S.A. 1936, c.33) was enacted. Municipal Affairs was charged with the act and funds for necessitious farmers were provided from the province's general revenue fund. Necessitious farmers could apply for loans to cover seed and feed grain, fodder, and fuel and lubricating oil costs. The 1936 act established a Seed Grain and Relief Adjustment Board and its powers were similar to the Tax Consolidation Board.

In 1937, the Agricultural Relief Advances Act was amended and responsibility was transferred to Agriculture (S.A. 1937, c. 25). Then in 1938, a new Agricultural Relief Advances Act was passed (S.A. 1938, c. 42), whereby Municipal Affairs provided the service in the Improvement Districts.

In 1942, the Tax Consolidation Act was renamed as the Agricultural Relief Adjustment Board Act and the Agricultural Relief Adjustment Act and the Agricultural Relief Advances Act were consolidated into the Agricultural Relief Advances Act (R.S.A. 1980, c.A-10). The 1980 act retains the title of Agricultural Relief Adjustment Board; however, the Seed Grain and Relief Adjustment Board was disbanded in 1973.[20]

In terms of functioning, it appears that Agriculture controlled the lending side of the agricultural relief program and Municipal Affairs dealt with collections. In 1983, Municipal Affairs assumed total responsibility for Agricultural Relief Advances (O.C. 220/83).

3.3.5 Other Related Activities

- In 1937, responsibility for the Alberta Government Employment Bureau was transferred to Municipal Affairs (O.C. 121/37), and was shortly re-assigned to Public Health (O.C. 1015/37).

- In 1940, the Soldiers' Relief Act (S.A. 1940, c.4) was enacted. This act provided servicemen with an exemption from property taxation and it was repealed by the 1980 Revised Statutes.

- In 1942, the Local Authorities Investment In War Loans Act was passed (S.A. 1942, c.6) and it allowed the local authorities to use surplus revenues for purchasing war bonds. The act was repealed in 1953 (Repeal Act, S.A. 1953, c.68).

- In 1943, the Debtors' Assistance Act was passed (S.A. 1943, c.7). Under the act a Debtors' Assistance Board was established and it was attached to Municipal Affairs. The Debtors' Assistance Act was transferred to the Attorney General in 1950. The former Debt Adjustment Board was assigned to Municipal Affairs in 1937 (O.C. 889/37).

3.4 Municipal Affairs: 1950-1960

It appears that the 1950-1960 era represents a "watershed" point in the history of municipal administration as the 1950, 1951, 1952 and 1953 provincial budget speeches display a new orientation.[21] First, it appears that the Provincial Government recognized it possessed sufficient resources to alleviate many problems of municipal finance. Secondly, the Provincial Government began to take into account the changing character of Alberta, as the larger population centers began to experience growth. Hence, an urban franchise had to be constructed, and at the same time, to avoid fiscal problems in the rural areas. Thirdly, it appears that the provincial

government became concerned with managing the impact of economic growth. This section summarizes the major changes which occurred in the financial assistance, property tax administration, land-use planning, and local administration functions of Municipal Affairs.

3.4.1 Local Government Administration

- In 1950, the Provincial Government attempt to reorganize rural areas through voluntary compliance with the County Act (S.A. 1950, c.15). The County Act was proposed as a system which would solve the problem of overlapping jurisdictions of rural authorities.[22] The province, did not consider it necessary to make the boundaries of Municipal Districts coincide with its school and hospital districts and an erratic pattern of taxing and spending decisions existed. The County Act essentially provides an alternative to existing school and hospital organization and places them under a single rural jurisdiction.

- In 1951, the Provincial Government enacted the City Act (S.A. 1951, c.9).[23] Formerly, under the Town and Village Act, all higher population density communities were administered in a uniform fashion. However, in 1951, the province chose to develop a different set of regulations for communities it proclaimed as cities. As a consequence of the City Act, a new Town and Village Act was instituted in 1952 (S.A. 1952, c.97).

3.4.2 Land-Use Planning Function[24]

In 1950, the Town Planning Act was amended (S.A. 1950, c.71) and several significant changes occurred. Firstly, the name of the act was reconstituted as the Town and Rural Planning Act, and the former Town and Rural Planning Advisory Board was renamed as the Provincial Planning Advisory Board. However, the most significant aspect of this amendment was it established a new system of regional planning. That is, it provided for local authorities to join into District Planning Commissions.

In 1953, the Provincial Government decided to enact a new Town and Rural Planning Act (S.A. 1953, c.113). This act provided for a more definitive system and it is summarized below.

A) The act defined the Provincial Planning Advisory Board's major functions as:

- To administer surveys and conduct studies.

- To hear and decide upon appeals arising out of local authority planning decisions.

- To provide consultative services to Alberta local authorities.

- To make grants to local authorities for planning purposes.

- To provide a supervisory role in relation to District Planning Commissions.

B) The act provided for the voluntary association of two or more local authorities into a District Planning Commissions. The major functions of the commissions were:

- To prepare a general plan for the designated area.
- To provide consultative services for local authorities in the area.
- To provide any services deemed necessary by the Minister, or the commissions' communities.

C) The act, with respect to District Planning Commissions, defined the process for zoning, and land transfers.

D) The act established provincial land-use planning regulations for all local authorities.

- A process for compulsory subdivision was established.
- A process for creating replotting schemes was implemeneted.
- The act provided for the voluntary creation of municipal and general plans.
- The act permitted the local authorities to establish zoning bylaws and to provide regulations as to their composition.
- The act allowed local authorities to create their own Technical Planning Boards and Planning Advisory Commissions.

E) The act charged the Minister of Municipal Affairs with the enforcement of municipal land-use plans:

- To enquire into the enforcement of general plans, development schemes, and zoning bylaws.
- To determine if it was necessary for a local authority to develop a general plan, development scheme, or zoning bylaws.

3.4.3 Property Tax Administration

In 1957, the Provincial Government enacted legislation which provided for a modern process of assessment.[25] Firstly, the Municipal Assessment and Equalization Act (S.A. 1957, c.61) described the duties and functions of the Provincial Assessor and the Assessment Equalization Board. Secondly, the Assessment Appeal Board (S.A. 1957, c.2) provided for a process of review.[26] These two acts appear to be interrelated and the most significant

aspects of the new provincial system of property tax administration were as follows:

Function of the Director of Assessment

- The Director of Assessment is to make recommendations to the Minister of Municipal Affairs as to the standards and methods of assessment. The Minister has the authority to prescribe assessment regulations for the local authorities.

- The Director of Assessment may provide consultative services to Alberta cities for establishing the standards and methods of urban assessments.

- The Director may, upon the request of any rural local authority, make property assessments.

- An appeal, pursuant to assessments made by the Director, lies with the Alberta Assessment Appeal Board.

Alberta Assessment Equalization Board

- The Secretary-Treasurer in all Alberta local authorities, other than Improvement Districts and Special Areas, is required annually to submit a report specifying the amount of assessment on all rateable land.

- The board examines the variation of assessment and determines if a given local authority has assessed its rateable land in a manner which is in conformity with the provincial assessment standards.

- The board has the authority to order Alberta local authorities to either increase or decrease assessment rates.

- Alberta local authorities may appeal board orders to the Assessment Appeal Board.

Assessment Appeal Board Act

- The Assessment Appeal Board Act repealed the Municipal Assessment Commission Act, thereby transferring appellate matters from the Public Utilities Board to this independent authority.

- The jurisdiction of the board is defined in Section 52 of the Assessment Act (R.S.A. 1955, c.17). The board may hear appeals pursuant to the amount of assessment, the inclusion of items for assessment, and whether or not persons were properly entered on assessment rolls.

- The board has the power to inspect land, summon evidence and to administer oaths, or declarations.

- Finally, the decisions of the board are binding and it may change or modify assessments as it sees fit.

3.4.4 Financial Assistance: Grants In Aid

It is pointed out that the Provincial Government largely relied upon borrowing measures to assist the fiscal needs of local authorities. A new dimension was developed in that the province began to provide unconditional intergovernmental transfers.

In 1951, the Provincial Government enacted the Municipal Assistance Act (S.A. 1951, c.54), whose purpose was to reduce local dependence upon property taxation revenue. However, the original act was repealed and a new Municipal Assistance Act was passed in 1953 (S.A. 1953, c.80). Originally, responsibility was given to the Provincial Treasurer. The act provided the Treasurer with responsibility for devising a uniform formula to allocate the funds. This seems to have proven to be difficult and responsibility for administration was transferred to Municipal Affairs. The 1953 act provided for a new grant formula and the main features were:

- The Provincial Treasurer established a Municipal Assistance Fund composed of 50% of the receipts of the fuel oil tax. (Fuel Oil Tax Act).

- The fund was divided into two parts, urban and rural. Based upon the 1951 census, each category received an amount in proportion to the total population of the province.

- Each urban municipality was required to undertake an annual census. The census returns were collected by Municipal Affairs and the total urban population was calculated. Then each urban municipality was entitled to a proportionate amount of the urban fund, as its population was deemed to be a percentage of the total urban population of the province.

- It was necessary to establish a more elaborate formula to fund the rural areas. The formula was based upon assessment amounts in relation to area and population size. Municipal Affairs was charged with the responsibility of receiving annual assessment statements and it calculated the amounts.
- All funds which were distributed under this act were unconditional as to usage.

3.4.5 Other Financial Assistance Measures

- In 1949, the Provincial Government enacted the Crown Property Municipal Grants Act (S.A. 1949, c.30). The terms of the act permit the Provincial Treasurer to issue grants in lieu of taxes on Crown Property to all local authorities. However, the local authorities could not compel the Provincial Government to make such transfers as the act was discretionary. The grants were distributed through the

Department of Public Works and this practice continued when the name of the department was changed to Housing and Public Works (1975) and then to Public Works Supply and Services in 1983. However, in 1961, with the passage of the Municipal and Provincial Properties Valuation Act (S.A. 1961, c.53) a new approach was taken.[27] The new act provided that all municipal and provincial properties would be assessed by the local authority. In terms of provincial properties, the Treasurer would provide a grant in the amount specified by the assessment. Municipal Affairs is responsible for the Municipal and Provincial Property Valuation Act.

- In 1951, the Provincial Government authorized the Provincial Treasurer to make loans to special area school divisions for purposes of facility construction (Special Areas School Divisions Capital Assistance Act, S.A. 1951, c.84). Formerly, capital funds for these areas had to be authorized by the Minister of Education. This act repealed the School Districts Relief Act (S.A. 1914, c.11) which provided such funding. In 1958, the Special Areas School Divisions Capital Assistance Act was repealed (Repeal Act, S.A. 1958, c.72).

- In 1953, the Provincial Government established the Municipal Capital Expenditures Loans Act (S.A. 1953, c.81). This act provided that the Provincial Treasurer establish a revolving fund for capital purposes. That is, loans were made available at 3 1/2% interest for: purchasing land and materials for public buildings, road and related facilities, sewer and water systems, and power facilities. However, the amount of the loans were limited, as an aggregate sum was delimited for a given local authority.

- In 1957, the Provincial Government enacted the Municipalities Additional Borrowing Power Act (S.A. 1957, c.60). The terms of this act empowered the local authorities to borrow monies pursuant to the Municipal Financing Corporation Act on behalf of hospital districts.

3.4.6 Other Related Activities

- In 1951, the Provincial Government enacted the Civil Defence and Disaster Act (S.A. 1951, c.10).[28] This act provided that the Minister could enter into agreements with the Government of Canada in order to develop a comprehensive plan. The act also permitted local authorities to establish their own organization. Municipal Affairs administered this act from 1951 to 1957. In 1957, responsibility was transferred to Agriculture, where it remained until 1961. Between 1962 and 1967 it was attached to the Department of Public Welfare. In 1967, it was transferred to Agriculture, and in 1968 it was re-established in Municipal Affairs. Then in 1971 it was again transferred to Agriculture. In 1973, the Civil Defence and Disaster Act was repealed by the Disaster Services Act (S.A. 1973, c.69) and placed under the supervision of the Executive Council as the Alberta Disaster Services Agency.

- In 1953, the Provincial Government enacted the Mobile Construction Equipment Licensing Act (S.A. 1953, c.76) and the Seismographic Recording and Drilling Equipment Licensing Act (S.A. 1953, c.104). Both of these acts charged Municipal Affairs with the supervisory responsibility of overseeing the licensing of construction equipment. The Mobile Construction Equipment Act was totally administered by Municipal Affairs and a new act was passed in 1959 (S.A. 1959, c.53). The 1959 act provided that licensing of mobile construction equipment was to be done in the same way as drilling equipment. That is, the local authorities, forest reserves, and metis districts were to collect the license fee. Based upon the length of time a unit did work in their jurisdiction, they were entitled to 95% of the fee. In 1979, the Mobile Equipment Licensing Repeal Act (S.A. 1979, c. 51) was passed. This also applied to seismographic equipment as the 1959 act also repealed the 1953 Drilling Equipment Act.

- In 1957, the Provincial Government enacted the Mobile Homes Licensing Act (S.A. 1957, c.53). While the act was placed under the supervision of Municipal Affairs, the various local authorities were charged with the licensing of portable accommodation vehicles. In 1959, the Mobile Homes Repeal Act was passed (S.A. 1959, c.54) and today mobile homes are subject to the Municipal Taxation Act.

- In 1957, the Provincial Government enacted the Farm Purchase Credit Act (S.A. 1957, c.23). The Provincial Treasurer established a revolving fund to provide low interest loans so that small farmers could purchase land. The act created municipal farm purchase boards to examine applicants. Under the act, local governments had to guarantee the loans, and the boards were granted the authority to make the loans. In 1957, Municipal Affairs took charge of this program in the Improvement Districts and the Special Areas. A new Farm Purchase Credit Act was passed in 1963 (S.A. 1963, c.17), and a new Alberta Farm Purchase Board was established to administer the act on a province-wide basis. However, Advisory Farm Purchase Committees were established at the local level and Municipal Affairs established committees in the Improvement Districts and Special Areas. In 1972 farm purchases were reorganized under the Agricultural Development Act (S.A. 1972, c.5). This act placed farm loans under a new crown corporation (Agricultural Development Corporation) which reports to the Minister of Agriculture. The corporation is run by a Board of Directors, including improvement District administrators who serve as representatives for their communities.

- The Municipal Winter-Works Incentive Program began in 1958 and was terminated in 1968. The Department of Municipal Affairs supervised the administration of this program in Alberta.

3.5 Municipal Affairs: 1960-1983

During this period, the Provincial Government enacted legislation which affected all the functional areas of Municipal Affairs. The Provincial Government established new approaches as the province reacted to the needs of economic and population growth.[29] As such, this section summarizes the major changes which occurred during this time period.

3.5.1 Local Government Administrative Supervision

A) In 1968, the Provincial Government enacted the Municipal Government Act (S.A. 1968, c. 68)[30] and the City, Town and Village, and Municipal District Acts were repealed. Hence, a more uniform act was implemented to govern the functioning of all incorporated local governments. The act is composed of eight sections and the act is summarized below:

- In Part II, the Provincial Government established a new classification scheme for incorporation. A local government may be incorporated as as City, Town, New Town, Village, Summer Village, or a Municipal District. The classification is based upon population size, and the status of any given local government can be altered as the Provincial Government deems necessary.

- In Part III, the Provincial Government provides regulations pertaining to council organizational structure. Also, it specifies rules governing the qualifications and roles of local governmental political leaders.

- In Part IV, the duties and functions of the local governmental civil services are defined, as well as the role of administrative officers.

- In Part V, the specific functions of Alberta local governments are identified.

- In Part VI, rules governing the operation of public utilities; telephones, transportation, light, power, energy, and water services are established.

- In Part VII, the term of local governmental debenture borrowings are specified.

- In Part VIII, the types of legal proceedings into which citizens and municipalities may enter are defined.

B) In 1968, the Provincial Government enacted the Municipal Election Act (S.A. 1968, c. 60), whose purpose was to provide clarity with respect to elections. Part I of the act, established the qualifications for candidates and voters, and it set out standards of polling and voting procedures. In Part II, regulations governing bribery and undue influence with respect to

candidate behaviour were established. The act repealed the Controverted Municipal Elections Act of 1912 (S.A. 1911-12, c.20). In 1983, a new Local Authorities Election Act (S.A. 1983, c.L27.5) was passed which provides for a more definitive body of election procedures. That is, the act provides a more detailed regulation with regards to election, voting, post-vote, recount procedures. Also, it more strongly controls the conduct of individuals involved in local elections.[31]

C) From time to time, the Provincial Government created local authorities through special amalgamation acts:

- In 1930, the Provincial Governments of Alberta and Saskatchewan jointly passed legislation unifying the town of Lloydminster into a central municipal authority. The Alberta act is known as the Lloydminster Municipal Amalgamation Act (S.A. 1930, c.54).

- In 1954, the Provincial Government enacted the Drayton Valley Townsite Act (S.A. 1954, c.24). This act specified an area to be incorporated as a town, and it stipulated certain development responsibilities and guidelines.

- In 1974, the Northwest Alberta Regional Commission Act was passed (S.A. 1974, c.45). This act established a commissioner and a commitee of local residents (for the vicinity of Improvement District No. 18), to form an integrated local governing area. That is, this act provided an overall local government as the commissioner was granted the authority of initiating local plans and programs, as well as, coordinating provincial and other local authority programs within the area. This act repealed the Proposed Village of Waterways Act 1940 (S.A. 1940, c.9).

- In 1978, the Provincial Government enacted the Crowsnest Pass Municipal Amalgmation Act (S.A. 1978, c. 52). Pursuant to this act, the towns of Blairmore and Coleman, and the villages of Bellevue and Frank were amalgamated into a single municipality.

3.5.2 Land Use Planning Function: The Planning Act of 1963

In 1963, the Provincial Government enacted a new Planning Act (S.A. 1963, c.43). While the new act is similar to the 1953 Town and Rural Planning Act, it did establish a more fully developed system. The most significant characteristics are:

A) A new Provincial Planning Board replaced the former Provincial Planning Advisory Board. Its major functions are:

- To provide all regulations under the act.

- To advise the Minister with respect to the establishment and operation of regional planning commissions.

- To assist regional planning commissions in coordinating their activities.

- To hear all appeals pursuant to this act. Its' decisions are binding, however an appeal lies to the Supreme Court of Alberta.

- To collect information, conduct studies and to disseminate such information pertaining to the economic and social development of Alberta.

- To make inquiries of its own on any matter within its jurisdiction.

- To advise on the creation of regional planning commissions.

B) The act defined the functions of the Regional Planning Commissions:

- To study the planning area with a view to preparing a regional plan.

- To prepare a preliminary regional plan to control development during the period of regional plan preparation.

- To advise and to provide consultative services to member municipalities, with respect to town plans, zoning by-laws, or development schemes.

C) The act provided enabling authority for local authorities to establish local planning commissions. Under the act local authorities may develop general plans, development controls, development schemes, and zoning by-laws.

D) The act provided for the Minister to make subdivision and transfer regulations. These regulations were to govern approvals of subdivision proposals. However, the Provincial Planning Board, through its discretion, could relieve compliance either in whole or in part.

E) The act provided for the enforcement of land-use planning in two ways. Firstly, it authorized councils to restrain individuals from violating zoning by-laws by bringing action through the Supreme Court. Secondly, should a council not enforce provisions of its plan, or should land-use practices not conform to the public interest, the Minister of Municipal Affairs could order the local council to conform to provincial concern.

3.5.3 Land-Use Planning Function: The Planning Act of 1977

In 1977, the Provincial Government enacted a New Planning Act (S.A. 1977, c.89). The act provided for significant changes and the most significant are summarized below:

A) The act established the Alberta Planning Fund. Municipal Affairs,

on a provincial basis, was empowered to define an amount which all Alberta local authorities are to contribute and the local authorities are to assess their population accordingly. The Minister may expend the fund upon the support of regional planning commissions, to prepare both regional and municipal land-use plans, or to conduct planning studies.

B) The act provided in Section 45, that all Alberta Regional Planning Commissions shall by December 1, 1982 adopt a regional plan.

C) The act made it mandatory for Regional Planning Commissions to hold public hearings pursuant to the creation of a regional plan.

D) The act provided that all municipalities of over 1,000 population, and Counties or Municipal Districts with a population of 10,000 shall prepare a general municipal plan.

E) The act required that all local authorities of over 1,000 establish a land use by-law and provides for a process of development and subdivision.

3.5.3 Land Use Planning Function: The New Towns Act

In 1956, the Provincial Government enacted the New Towns Act (S.A. 1956, c.39), and it was subsequently repealed by the New Towns Act of 1969 (S.A. 1969, c.81). The general terms of the 1969 act are summarized below:

A) Application for the formation of a new town is made to the Provincial Planning Board.

B) It is the responsibility of the Provincial Planning Board to evaluate the proposed development. However, the Local Authorities Board has the responsibility to evaluate the financial aspects of the proposal.

C) When such approval is obtained, a Board of Administration is formed and is comprised of representatives of the Provincial Government, residents of the area, representatives of agencies, organizations, and companies operating in or having jurisdiction in the area. All appointments are made by the Minister of Municipal Affairs.

D) The Board of Administration is required to appoint a treasurer, secretary, or secretary-treasurer, to manage the new town according to the terms of the Municipal Government and Municipal Taxation Acts.

E) The Board of Administration can appoint any such officer as it deems necessary and can enter into agreements and contracts with private companies.

F) The Board of Administration is responsible for the creation of a comprehensive development scheme in accord with the Planning Act.

G) The Board of Administration has to submit an annual financial report to the Local Authorities Board.

3.5.4 Land-Use Planning: City Transportation

A) The terms of the Planning Act are applicable to Section 15 of the City Transportation Act (S.A. 1970, c.19). Basically, the act provides a process whereby cities can acquire land for a transportation system. The act states that the city must establish "transportation and protection areas". These are areas which constitute a definable segment of the municipal plan. Hence, such a land designation is subject for approval by the Provincial Planning Board.

B) Finally, with respect to city transportation, Municipal Affairs is charged with the implementation of the Calgary-Canadian Pacific Agreement Act (S.A. 1979, c.4). By the terms of this agreement, the city of Calgary assumes total liability for its rapid transit system. (This act should not be confused with the Calgary-Canadian Pacific Agreement Act S.A. 1964, c.9).

3.5.5 Land-Use Planning: Provincial Housing Policy

The development of a Provincial Housing Policy certainly broadens the scope of land-use planning. However, within the policy dimension of planning a summary of the most significant aspects are provided.

It was not until 1945 that the Provincial Government enacted three acts which established the basis for provincial housing policy. Under the Alberta Housing Association Act (S.A. 1945, c.7) the Minister of Municipal Affairs was empowered to organize municipal governments into a housing association. The function of the association was to facilitate Alberta's participation within the National Housing Act of 1944 and under the National Housing Labor Act (Alberta) (S.A. 1945, c.6) the provincial government adopted federal housing initiatives.

Secondly, in 1945, the Provincial Government passed the Homes for the Aged or Infirm Act (S.A. 1945, c.14) to provide grants to municipalities for constructing facilities to house aged citizens. The Minister of Public Welfare was charged with this act.

In 1952, a new provincial Housing Act (S.A. 1952, c.38) was instituted and the Minister of Economic Affairs was placed in charge of executing all housing agreements between the Government of Canada and Alberta. In terms of implementation, this included the acquisition of land, land development, and the construction and sale of low income housing. Thus, responsibility for housing policy was transferred from Municipal Affairs to the Department of Economic Affairs. Subsequently, when the federal government implemented the National Housing Act of 1954, the provincial government repealed the National Housing Loans Act (Alberta) (S.A. 1954, c.45) and amended the Housing Act to reflect this change (S.A. 1954, c.44).

Also, in 1954, the Provincial Government provided for a specific grant formula to assist municipal governments in constructing senior citizen facilities (S.A. 1954, c.40). As the act states:

"2. The following new section is added immediately fter section 4:
4a. (1) With the approval of the Lieutenant Governor in Council the Minister may pay to a municipality that erects or purchases a building and equip it with ten beds or more for use as a home for the aged or infirm, a grant of an amount equal to one-third of the cost thereof or five hundred dollars a bed, whichever is lesser.
(2) The Lieutenant Governor in Council may make regulations respecting the manner in which a home referred to in subsection (1) is to be equipped and operated.'"

However, in 1955, the provincial government by amendment, increased the amount of senior housing grants (S.A. 1955, c.5) and in 1958, by amendment, grant amounts were again increased (S.A. 1958, c.25).

In 1959, a new Homes for the Aged Act was passed (S.A. 1959, c.29) and the Minister of Public Welfare was given this mandate. What this act did was to establish municipal foundations to manage municipal-provincial housing policies. The Board of Directors of the local foundation was given the authority to oversee administration. However, the Minister retained the power to regulate the actions of these local boards. The act also provided that the Minister could provide matching grants but the Minister was to determine regulations governing provincial contribution.

In 1959, the Department of Economic Affairs was abolished (S.A. 1959, c.16) and responsibility for the Housing Act was transferred to Municipal Affairs. In 1965, with the passage of a new Alberta Housing Act (S.A. 1965, c.38), the Minister of Municipal Affairs retained responsibility.

But while the Housing Act remained under Municipal Affairs, the Provincial Government established the Alberta Housing and Urban Renewal Corporation in 1967 (S.A. 1967, c.34). The role of the corporation was defined as:

"11. The following section is added immediately after section 16:

16a. (1) The Lieutenant Governor in Council may establish a corporation with the name of the Alberta Housing and Urban Renewal Corporation to carry out any of the duties and functions provided for by this Act and in addition such other duties and functions related to any Provincial program of housing or housing accommodation as may be assigned to it by the Lieutenant Governor in Council.
(2) The affairs of the Alberta Housing and Urban Renewal Corporation shall be conducted by a board of directors which shall consist of a chairman, vice-chairman and such other number of persons as is considered appropriate to be appointed by the Lieutenant Governor in Council to hold office during his pleasure.
(3) The Provincial Treasurer is hereby authorized to make, at the request of the Alberta Housing and Urban Renewal Corporation, advances of such sums out of the General Revenue Fund of the Province, as are required from time to time for the purpose of transacting the business of the corporation.

(4) The Province may guarantee any debentures issued by the Alberta Housing and Urban Renewal Corporation.
(5) Subject to The Public Service Act, 1962, the Lieutenant Governor in Council may appoint such officers, clerks and servants as are requisite for the conduct of the business of the Alberta Housing and Urban Renewal Corporation and may prescribe their duties and remuneration.
(6) The Alberta Housing and Urban Renewal Corporation, with the approval of the Lieutenant Governor in Council, may enter into any agreement that the Province or the Minister is authorized to enter into under this Act.
(7) In addition to the powers vested in a corporation by section 14 of The Interpretation Act, 1958, the Alberta Housing and Urban Renewal Corporation

(a) may acquire, hold and alienate real property,
(b) may borrow such moneys as are required for its purposes, and
(c) may, to secure any moneys borrowed, issue debentures or mortgage any real property held for a housing project."

In 1968, the Provincial Government instituted a new Alberta Housing Act (S.A. 1968, c.44). While this act does not place total responsibility for urban renewal under the Housing and Urban Renewal Corporation, it does confirm that the Provincial Government will control all federal-provincial agreements and supervise municipal urban renewal schemes. It appears that the powers of the Urban Renewal Corporation were not changed drastically. Specially, the corporation either conducted or approved land assembly projects, and land development projects. Finally, the Corporation acted as a financial conduit between the Provincial Treasurer and the development authority. The corporation reported directly to the Minister of Municipal Affairs under the 1968 act.

The 1968 Alberta Housing Act was repealed with the passage of the Alberta Housing Act of 1970 (S.A. 1970, c.57). Under this act, the Alberta Housing Corporation was established, Section 3, states that the former Alberta Housing and Urban Renewal Corporation was reconstituted as the Alberta Housing Corporation. The new corporation was to be governed by a Board of Directors, with the Deputy Minister of Municipal Affairs acting as the Executive Director of the Corporation. Therefore, it appears that the Minister of Municipal Affairs held the chairmanship of the board. Moreover, in Section 4, the corporation was specifically given the authority to carry out all housing and urban development programs which were established in the act. A summary of the major programs is presented. While the act does provide a definition of various programs, we shall summarize the general powers of the Corporation pursuant to section 8. These are:

"1. acquire, hold and alienate real or personal property;
2. undertake to develop lands with roads, streets, sidewalks, water and sewer and other municipal facilities, either alone or in conjunction with municipalities;
3. administer, manage and maintain properties;
4. make grants or loans for the purpose of acquiring, constructing or improving housing;

5. make grants or loans to municipalities for any of ten purposes of section 31;
6. guarantee the repayment of any loans;
7. establish a mortgage insurance fund or any other fund as it considers necessary;
8. establish an administration fee or any other fee for any of its services or programs as it considers necessary;
9. carry out any other program that is assigned to it by the Lieutenant Governor in Council;
10. enter into any agreement to carry out the intent and purpose of this Act;
11. carry out any of the duties and functions provided for by this Act and any duties and functions related to any program of housing and urban development."

The 1970 Housing Act is also significant as it makes the Alberta Housing Corporation responsible for senior citizen housing project. As section 24 states:

"24. (1) The Corporation may undertake a senior citizen housing project.
(2) For the purposes of this section, the Corporation may
(a) acquire, assemble and develop land,
(b) design and construct senior citizen housing accommodation,
(c) acquire, improve or convert existing buildings for senior citizen housing accommodation,
(d) administer, manage and maintain senior citizen accommodation,
(e) borrow any money required for a project, and
(f) sell, lease or dispose of any senior citizen accommodation or project.
(3) The Corporation with the approval of the Lieutenant Governor in Council may enter into agreements with non-profit organizations or senior citizen foundations for
(a) the development of senior citizen housing projects, and
(b) the provision of a grant towards the total capital cost of a project.
(4) In this section,
(a) "non-profit organization" means an organization wholly owned by the Government of Alberta, by a municipality or any agency thereof, or an organization constituted exclusively for charitable or benevolent purposes, no part of the income of which is payable to or otherwise available for personal benefit of any proprietor, member or shareholder;
(b) "senior citizen foundation" means a foundation established under The Homes for the Aged Act."

However, the Housing Corporation's activities were restricted to facility construction. It was shown, that the Minister of Public Welfare also supervised the administration of the local foundations. In 1971, with the passage of the Hospital Services Commission Act (S.A. 1971, c.45), it appears this commission assumed control.

In 1972, several changes occurred which affected the administration of provincial housing policy. Firstly, the Alberta Housing Association Act was repealed (Statutes Repeal Act: S.A. 1972, c.90). This meant that individual municipalities would deal directly with the housing authority. Secondly, the Alberta Housing Amendment Act 1972 (S.A. 1972, c.51) affected the functioning of the corporation in two ways. The Amendment Act expanded the jurisdiction of the corporation to include mobile home facilities, and it made the Deputy Provincial Treasurer the executive director of the corporation. This did not mean that responsibility for the Alberta Housing Act was transferred to the Provincial Treasurer. However, the 1973 Amendment Act appears to have increased the Treasurer's financial control of the corporation (S.A. 1973, c.31).

In 1973, the Provincial Government enacted the Senior Citizens Housing Statutes Amendment (S.A. 1973, c.54). The Amendment Act changed the name of the Homes for the Aged Act to the Senior Citizens Housing Act. Moreover, it states that the Minister responsible for the Alberta Housing Act is also responsible for the Senior Citizen Housing Act. Hence, responsibility was taken over by the Minister of Municipal Affairs.

In 1974, the Provincial Government reorganized the composition of the Board of Directors (Alberta Housing Corporation) (Amendment: S.A. 1974, c.34). As the act states:

"3. Section 5 is struck out and the following section is substituted:
5. (1) The affairs of the Corporation shall be conducted by a Board of Directors which shall consist of the following members:
(a) the Minister, who shall also be chairman;
(b) the Deputy Provincial Treasurer;
(c) the President of the Corporation;
(d) such other members as may be appointed by the Lieutenant Governor in Council during pleasure.
(2) The Lieutenant Governor in Council may appoint during pleasure a person as President of the Corporation and shall fix the rate of remuneration to be paid to him by the Corporation.
(3) The President shall be the chief executive officer of the Corporation and vice-chairman of the Board.
(4) In the event of the Minister's absence or inability to act as chairman the vice-chairman shall be acting chairman and in the further event of the vice-chairman's absence or inability to act the Board of Directors may, by resolution, appoint any member to be the acting chairman.
(5) A majority of the Board consitutes a quorum.
(6) At its meetings, the Board may exercise any of its powers by resolution except where some other mode of exercising any power is prescribed in this or any other Act.
(7) A member of the Board appointed pursuant to subsection (1), clause (d) shall be paid by the Corporation such remuneration as is prescribed by the Lieutenant Governor in Council."

Pursuant, to the 1975 Housing and Public Works Administrative Transfers

Order (O.C. 522/75) responsibility for the Alberta Housing Act and the Senior Citizens Housing Act was transferred from Municipal Affairs to the Department of Housing and Public Works.

3.5.6 Management of Unincorporated Provincial Local Government Areas

The 1921 Improvement Districts Act was repealed by the passage of the Improvement Districts Act of 1927 (S.A. 1927, c.53). This new act did not alter the role of the Public Works Department, but it did delimit the types of expenditures that were to be made. The act states:

> "The improvement district taxes of each district shall be deposited in a chartered bank to the credit of a fund in the name of the Minister of Public Works; and the taxes collected in each improvement district shall be expended under his direction in making --
>
> (a) such improvements as may from time to time be required in the district on roads leading directly to or from, and in the interest of, the district;
> (b) in discharging sums due under the provisions of The Mental Defectives Act;
> (c) in discharging sums due under The Workmen's Compensation Act;
> (d) in discharging sums due under The Agricultural Pests Act;
> (e) in discharging sums due under The Noxious Weeds Act."
>
> Whenever the Minister supplies any aid to sick persons or indigents under the provisions of this Act, or pays any account to the authorities of any hospital or otherwise, the Minister of Public Works shall defray the cost thereof out of the district fund of the improvement district concerned."

The 1927 act was subsequently repealed with the passage of the 1947 Improvement Districts Act (S.A. 1947, c.9). While the 1947 act did not alter the responsibility of Education, Public Health, Public Welfare, or Public Works to provide for servicing, it did institute a new means of financial administration. That is, the Minister of Municipal Affairs was responsible for implementing the budget approved by the legislature. As section 8 of the 1947 act states:

> "8. (1) Before the first day of June in each year every Department, other than the Department of Municipal Affairs, charged with the duty of expending any part of the improvement district taxes shall send to the Minister a statement with reference to each improvement district of the amount required to be expended by it therein, during the current year.
> (2) Before the first day of July in each year, the Minister shall with respect to each improvement district estimate the total amount required to be expended within each such district during the current year pursuant to subsection (1) and to the provisions of any other Act, and shall cause to be levied to meet the expenditure a tax at such rate on the dollar of the assessed value of all land, personal property and businesses liable to assessment as he deems sufficient to product the amount of the estimate; due allowance being made for the amount of taxes which may

reasonably be expected to remain unpaid."

The 1947 act was repealed by a new Improvement Districts Act in 1965 (S.A. 1965, c.39), and between 1971 and 1980 the act was amended on nine occasions.[32] What is done in this section is to summarize the most significant features of the Improvement Districts Act as presented in the Revised Statutes 1980 (R.S.A. 1980, c.I-1). There exist three primary components to the Improvement Districts Act:

A) The Department of Municipal Affairs is responsible for providing a sound financial base for the Improvement Districts.

- Pursuant to the Municipal Taxation Act, Municipal Affairs is responsible for implementing and collecting all taxes with respect to property.

- Pursuant to the Electric Power and Pipeline Assessment Act, Municipal Affairs is responsible for the imposition and collection of taxes levied on transmission facilities.

- Pursuant to the Oil and Gas Conservation Act, Municipal Affairs is responsible for the imposition and collection of taxes levied on drilling equipment.

- Pursuant to the Municipal Taxation Act, Municipal Affairs is responsible for licensing mobile housing units.

- Pursuant to Section 12 of the Improvement Districts Act, Municipal Affairs is responsible for the debenture-borrowings of the districts.

B) The Department of Municipal Affairs is responsible for making service related expenditures in the Improvement Districts.

- Municipal Affairs may appoint an advisory committee to assist in the management of the area.

- Municipal Affairs may do anything that a local authority under the Municipal Government, Planning, or Historical Resources Act is empowered to do. (Section 16).

- Municipal Affairs may provide street lighting, water, and fire protection services in a hamlet.

- Municipal Affairs may provide fire protection services in rural fire protection areas.

- Municipal Affairs may provide ambulance service to the Improvement Districts.

- Municipal Affairs may provide public utilities (light, power, gas, water, sewerage) to the Improvement District.

- Municipal Affairs may provide for the administration of cemeteries.

- Municipal Affars may acquire and dispose of land on behalf of the Improvement District.

- Municipal Affairs is responsible for overseeing the standards of building structures in the area.

- Municipal Affairs may make regulations pertaining to child curfew hours, control of dogs, and the discharging of firearms.

- Municipal Affairs may provide public services, or it may enter into contractual agreements with private parties and other local authorities.

- Municipal Affairs is responsible for providing residents with information about the agricultural relief advances program.

C) Several provincial departments are responsible for providing services to the Improvement Districts. These are:

- The Department of Education is responsible for maintaining and operating school services. However, Municipal Affairs may enter into any contractual agreement it deems best suited for the area.

- The Department of Health is responsible for implementing the Hospital Acts in a manner that best meets the needs of residents.

- The Department of Social Services and Community Health is responsible for the care of indigents residing within the districts.

- The Department of Transportation is responsible for all roads leading to and from and within the improvement districts.

- The Department of Agriculture is responsible for establishing agricultural service boards for the purpose of dealing with local agricultural problems in the Improvement Districts.

3.5.7 The Financial Assistance Function: Grants

In 1973, the Provincial Government enacted the Property Tax Reduction Act (S.A. 1973, c.46).[33] This act established a new system of funding and included tax discounts and grants to individuals as well as a new system of intergovernmental transfers. This section examines both components.

A) Tax Discounts and Grants to Individuals

In 1966, the Provincial Government passed the Homeowners Tax Discount Act (S.A. 1966, c.37). Under this act, homeowners could receive an annual $50 discount should they meet eligibility qualifications. In 1972, the Provincial Government provided both homeowners and rental assistance to senior citizens through an annual grant under the Senior Citizens Shelter Assistance Act (S.A. 1972, c.86). Basically, senior citizens received a $50 tax discount if they resided within a private dwelling, and the rental assistance grant amounted to $50.

In 1973, the Provincial Government enacted the Property Tax Reduction Act (S.A. 1973, c.46), which repealed the Homeowners Tax Discount and the Senior Citizens Shelter Assistance Tax Act.

The new tax benefits were significantly enlarged. For homeowners under 65 years of age, they could receive up to $216 discounted from the school foundation levy. Also, a minimum of a $100 tax discount was established, but should the levy be less than the discount, homeowners could be absolved from the total amount of the tax. The act provided that some senior citizens (on guaranteed income supplements) were exempted from provincial education taxes.

In terms of further benefits, senior citizen renters were entitled to receive a $100 rebate should their residence be subject to provincial taxation for a period of at least 120 days. Also renters, under the age of 65 could receive a provincial income tax credit of $100. However, by amendment a grant of $100 was established for senior citizens (S.A. 1973, c.80).

In 1974, the Property Tax Reduction Act was amended (S.A. 1974, c.50), and several changes were made. First, the school foundation component of the property tax was completely removed for all residents. This also included farmland that was owned by individual Alberta residents. Secondly, all Alberta homewoners received a $100 property tax exemption. Should the total amount be less than $100, the exemption covered its gross value. Senior citizens, not housed in a medical or nursing facility, received a maximum benefit of up to $200. However, only seniors who received a guaranteed income supplement could qualify. For those senior citizens, who principal residents was a private rental accommodation, a grant of $100 was provided.

In 1975, the amount of senior citizen rental grants was increased to $150 annually. (Amendment: S.A. 1975, c.31).

Again the Provincial Government changed the amounts of assistance by an amendment in 1978. (S.A. 1978, c.31). The amendment increased property tax reductions from $100 to $200 for homeowners, and for senior citizen homeonwers the reduction was increased from $200 to $400 and guaranteed income supplements was dropped. Also, senior citizen rental grants were increased from $150 to $200.

By a further amendment (S.A. 1979, c.22), the amount of assistance for senior citizens was increased. That is, the renter assistant grant was

increased to $500, and for a senior who resided in a mobile home, which was located on rented land, a grant of $400 was provided.

Then in 1980, by regulation (O.C. 179/80), the grant amounts was increased again. For seniors living in a medical or nursing facility, they received a grant in the amount of $500. For seniors renting a dwelling, the amount was increased to $1,000 and those residing in a mobile dwelling to $600.

In 1981, the amount of tax reduction for senior homeowners was set at $600.

In 1983, by regulation (O.C. 412/83), the grants were again increased. That is, for those residing in a medical or nursing facility the amount was increased to $600. For those residing in a mobile unit, the amount was increased to $1,000, and for renters in a private dwelling it was increased to $1,200. Finally, in 1983, a bill was introduced to include widowers in the rental grant scheme.

B) Grants to Municipalities

The Property Tax Reduction Act repealed the Municipal Assistance Act and as a result, a more complex grant-in-aid program was established.

Firstly, the act provided for the creation of municipal assistance grants. Based upon a population size, fiscal capacity, and the need for fiscal equalization, a formula was developed to determine the entitlement amounts. The municipal assistance grant is unconditional.

Secondly, the act provided for municipal incentive grants. The purpose of this grant was to promote fiscal restraint, as a municipality was required to maintain budget increases at a 7 1/2% annual increase. The province chose not to allocate incentive grants in 1978.

3.5.8 The Financial Assistance Function: Debt Reduction

In 1979, the Provincial Government enacted the Municipal Debt Reduction Act (S.A. 1979, c.21). Under the act, the province paid the eligible debt of all Alberta local authorities as of prior to April 1, 1979. This act was repealed by revision, excepting Section 19.

That is, in Section 19, a Métis Settlement Trust Fund was established, for any purpose of direct benefit to the Métis and the trust fund was placed under the management of Social Services and Community Health. In 1982, Section 19 was applied to the Métis Population Betterment Act (S.A. 1982, c.26), and responsibility for this act was transferred to Municipal Affairs in 1980 (O.C. 918/80).

3.5.9 Financial Corporation: Regional Agreements

A) In 1974, the Provincial Government passed the Northeast Alberta Regional Commission Act (S.A. 1974, c.45). The act established a commissioner

and a committee of residents to consider the most appropriate means for developing public services.

B) In 1981, the Provincial Government enacted the Regional Municipal Services Act (S.A. 1981, R-9.1). The tenure of the act calls for the creation of regional service commissioners throughout the province. The regional system would establish a new financial approach for funding major water and sanitary systems. However, while this act was passed to in 1981, it has not yet been proclaimed.

3.5.10 The Property Tax Administration Function

Between 1960 and 1983, the Provincial Government enacted the Municipal and School Administration Act, the Municipal Tax Exemption Act, and a new Municipal Taxation Act. In this section, these enactments are summarized.

A) Municipal and School Administration Act

In 1962, the Municipal and School Administration Act (S.A. 1962, c.54) was enacted. Its purpose is to provide a means for creating a centralized municipal and school administration. At present, the School Act provides for the creation of education boards (Public and Separate) apart from the existing municipal structure. What the Municipal School Administration Act allows is for a community to abolish its school boards, and to place educational administration under a committee of the council. This committee exercises all powers and duties pursuant to the School Act. The establishment of a merged municipal and school administration is based upon a popular referendum.

B) Municipal Tax Exemption Act

In 1965, the Provincial Government enacted the Municipal Tax Exemption Act (S.A. 1965, c.61). The purpose of this act is to exclude the property of non-profit organizations who are engaged in any activity which benefits the public (charitable, educational religious, benevolent, welfare). An exemption must receive municipal approval, and the local government must then submit a request to the Local Authorities Board.

C) Municipal Taxation Act[34]

In 1967, with the passage of the Municipal Taxation Act (S.A. 1967, c.54) universal property tax regulation was implemented. Under the Assessment Act (S.A. 1938, c.81 and S.A. 1960, c.5) assessment and appeal procedures were defined. But the Assessment Act did not provide for the totality of law governing municipal property taxation. That is, legislation defining the powers of the local authorities with respect to taxation, was provided within the context of the incorporation act. As such, local authorities under the Town and Village Act, Municipal Districts Act, and the Improvement Districts Act were not governed by a uniform set of regulations. This approach continued with the passage of the City, County, Special Areas, and Métis Population Betterment Acts. What existed was a tax system which managed municipal taxation in light of the existence of different types of Alberta

communities.

The local authorities were charged with the administration of railway assessment. In 1892, the Territorial Government enacted an ordinance respecting the assessment of railways (Ordinances of North West Territories No. 7, 1892). The ordinance stipulated that railway companies were to provide a statement denoting the quantity of assessable land to the Municipal Secretary Treasurer. Whereupon, the railway lands were taxed by the local authority. In 1905, the ordinance became the Railways Assessment Act and this practice was unchanged until 1941. In 1941, an amendment (S.A. 1941, c.61) altered the act to denote that Lands and Mines supervised the Special Municipal Areas. Hence, incorporated local authorities handled railway assessment and Municipal Affairs was the taxation authority for the Improvement Districts. However, responsibility for the Special Municipal Areas was subsequently transferred to Municipal Affairs in 1949. Then in 1967, the new Municipal Taxation Act (S.A. 1967, c.54) made reference to Railway Assessment Act (section 7). However, it appears that under section 19 of the Municipal Taxation Act (R.S.A. 1970, c.251) railway assessment was integrated as part of the act. The Railway Assessment Act should not be confused with the Railway Taxation Act (Provincial) (R.S.A. 1922, c.36) which was administered by the Provincial Secretary until 1962 (Repeal Act: S.A. 1962, c.86).

D) Summary of Municipal Taxation Act

Based upon the 1980 Revised Statutes (R.S.A. 1980, c.M-31), a summary of the Municipal Taxation Act is provided.

- Part I of the act requires the local authorities to prepare an annual general assessment roll. This section also states that it is the responsibility of the Minister of Municipal Affairs to make regulations governing the standards and methods of assessment. It also, provides regulations governing the assessment of land, improvements, particular properties, and school assessments. It also defines the role of local assessors and provides for an appellate process. Finally, Part I authorizes the Department of Municipal Affairs to inspect local tax records and allows for the Chief Provincial Assessor to assist the local authorities.

- Part II of the act provides that the local authorities may enact a Business Assessment Bylaw and specific regulations governing business assessment. Part II also provides for the regulation of business taxation, special licence fees, and provides for appeal.

- Part III of the act provides regulations pertaining to taxation.

- Part IV of the act covers local improvement taxes.

3.5.11 Other Related Activities

Municipal Affairs also plays an important role in assisting the

Provincial Government in the development of public policy through its expertise. This section summarizes some of the most significant contributions.

- In 1971, Municipal Affairs established an intergovernmental committee to study building standards in Alberta. The committee analyzed ways of applying national standards to the province, legislative requirements, and the type of enforcement procedure that was best suited for the province. In 1973, the Alberta Uniform Building Standards Act was enacted (S.A. 1973, c.85). However, responsibility was given to the Department of Manpower and Labour and today, the act is administered by the Department of Labour. Even so, Municipal Affairs is responsible for overseeing the act within Improvement Districts and Special Areas.

- Municipal Affairs, in 1971, provided support to the Task Force on Provincial-Municipal Fiscal Planning. The Task Force completed its work in 1972 and provided the Provincial Government with valuable assistance in devising a strategy for municipal financing.

- Municipal Affairs, in 1971, provided support to the Task Force on Urbanization and the Future. Between 1971 and 1975, the Task Force examined a broad range of concerns related to the effect of urbanization on Alberta. In 1975, this group was placed under Municipal Affairs as the Special Projects and Policy Research Branch. Between 1975 and 1978, the group in co-operation with the Department of Federal and Intergovernmental Affairs, assisted Edmonton and Calgary with policy matters related to national involvement in urban policy. In 1978, the branch was renamed; the Urban Advisory Group and Special Projects. Subsequently, it began work developing an urban policy in Alberta. The group focussed on identifying the ways provincial regulations affect urban areas. As such, it was given a mandate for improving interdepartmental policy coordination. Moreover, the group's work on the Crowsnest Pass did lead to the passage of the Crowsnest Pass Municipal Amalgamation Act in 1978 (S.A. 1978, c.52). Further, the group provided valuable assistance in developing a formula for distributing municipal grants, and an inventory of ambulance services, and investigated the incorporation of Banff and Jasper as Alberta towns. Between 1978 and 1983, the Branch conducted a variety of policy studies and has provided consultative support to a variety of government decision-makers.

PART IV: MUNICIPAL AFFAIRS: ORGANIZATION REVIEW

In 1973, the Deputy Minister requested that an organizational review of the department be undertaken and accordingly a committee was established to examine a comprehensive means for reviewing departmental functions. By 1974, its report Municipal Affairs: Organization Review, was completed, and in 1975 a general departmental restructuring took place.

What the reorganization did was to resolve certain problems which emerged as the result of departmental growth between 1912 and 1975. When in 1905, Alberta achieved provincial status, the management of Local Improvement Districts was done in a much less complex manner, as the Local Improvement Branch (Public Works) was composed of the Tax Commissioner and a small clerical staff. In 1907, the Tax Commissioner appointed a number of municipal inspectors to oversee the operation of the small Improvement Districts, and when the Department of Municipal Affairs was established (1912) a more formal structure emerged. The Department in 1912 had three senior officers; a Deputy Head, the Tax Commissioner, and the Special Municipal Inspector. At first, the Tax Commissioner's primary duty was to implement the terms of the Wild Lands Tax and to collect rural educational and hospital taxes. The Special Inspector supervised a group of travelling inspectors which monitored local councils and he was also the department's administrative officer.

Between 1924 and 1975, the provincial government expanded its operations, and as a result, a number of special purpose boards were established and a six program branch structure emerged. Also, as time passed, the need for staff level functions increased, and by 1975, these consisted of a liaison office, personnel, financial, central service sub-groups.

The most remarkable feature of the department's structure was that the Deputy Minister was involved in all departmental areas for the sub-units reported directly to his office. It appears that by 1973 this system was becoming unworkable.

The 1974 report, Municipal Affairs: Organizational Review, directed attention to at least four principles. These were:

- The department required a clear delineation of senior and line managerial functions.
- The department required a clear delineation of staff level services.
- The department required a separation of political functions from administrative and technical operations.

The report recommended that:

> "the department should be composed of operating divisions which are made up of branches which share a common orientation."

These principles led to the establishment of an administrative structure which changed the role of the Deputy Head. The Deputy, instead of supervising the department's individual activities was placed in charge of five divisions.

The division heads, in turn, supervised the various divisional sub-elements. In this fashion, the Deputy concentrated on performing senior managerial activities and improved his capacity for dealing with public relations concerns. Also, certain boards were placed under the Minister which provided the government with a linkage for dealing with municipal matters that have a direct political consequence.

The following section describes departmental organization, and reference should be made to Chart II which displays organizational structure from a historical perspective. The department's current organization is described and the historical origins of those structures are identified.

4.1 Assessment Services Division

Assessment is the oldest component of Municipal Affairs and it has played a vital role in providing the public sector with revenue to meet its operational needs. Formerly, the assessment function was composed of two separate offices. First, the Tax Commissioner's office played a planning function as the commissioner was responsible for developing standards and rules governing the methods of assessment and was also responsible for ensuring compliance with provincial standards. (The name Tax Commissioner was changed to Assessment Commissioner.) Secondly, the Chief Provincial Assessor's office was responsible for implementing provincial assessment and collection policies.

The 1975 reorganization did away with the concept of separating the "planning" and "implementation" functions of the Commissioner's and Chief Assessor's offices. The reorganization created four branches which reports to an Assistant Deputy Minister. The role of the ADM is to coordinate planning and operational elements as each branch performs separate functions.

4.1.A The Assessment Operations Branch

The Assessment Operations Branch was established to actually conduct assessments. Firstly, this branch, upon request, provides both general and annual assessments for Alberta local authorities. Secondly, this branch undertakes industrial, electric, and pipe line evaluations, and does assessments on cable TV and Alberta Government transmission facilities. It also provides assessment services for other government departments.

4.1.B The Assessment Research and Systems Branch

The Assessment Research and Systems Branch was established as a support group and performs a research function formerly carried out by the Tax Commissioner's Office. In providing procedural standards for

assessors, it is necessary to prepare manuals describing the rate schedules for various types of structures. Moreover, it is necessary to prepare record-keeping systems which can be used for technical analysis. Finally, assessment studies are undertaken to provide specialized information.

4.1.C The Assessment Inspection and Advisory Services Branch

Assessment Inspection and Advisory Services Branch was established to ensure that governmental and public participants are knowledgeable about provincial assessment standards and this function was formerly conducted by the Tax Commissioner's office. In that regard, this branch is involved in a variety of activities as it provides advisory and consultative services to municipalities conducting assessments and it investigates complaints related to assessments. Also it provides information about assessment to provincial, federal, and private groups who are concerned with assessment related issues.

4.1.D The Assessment Training Branch

The Assessment Training Branch was established to promote the development of professional assessor job skills. The branch is involved in assessor training through the certificate assessment course at the University of Alberta. It participates in the development of accreditation standards with Alberta Assessors' Association and it conducts seminars and advanced programs for assessors on a province-wide basis.

4.1.E Regional Offices

The division maintains field offices for various regions in the province. These are:

1) Edmonton North-East Region Assessment Office
2) Edmonton North-West Region Assessment Office
3) Edmonton South-East Region Assessment Office
4) Grande Prairie Region Assessment Office
5) Calgary Region Assessment Office
6) Lethbridge Region Assessment Office.

These field offices were created as a result of a desire to decentralize the Assessment Operations Branch in 1978. It also should be noted that between 1952 and 1972, assessment services (through a federal-provincial agreement) were provided to the Northwest Territories.

4.2 Municipal Administrative Services Division

This division is composed of four branches which are involved with the supervision of local authorities. However, the former Improvement Districts

Administration Branch was reinstituted as the Improvement Districts Operations Division in 1980. The roles of each branch are summarized.

4.2.A Municipal Inspection and Advisory Services Branch

This branch was originally established as the Inspection Branch in 1907, and the director continues to hold the titular designation of Chief Municipal Inspector.

The branch performs several major functions. First, it carries out regulatory examinations reviewing the financial conditions and administrative practices of local authorities and also conducts special investigations initiated by the deputy in response to complaints. Secondly, the branch investigates applications for incorporation by Alberta communities. This entails an investigation of relevant statutory requirements and an examination of the community's economic potential. Finally, the branch responds to inquiries from the local authorities and the public.

4.2.B Tax Recovery Branch

It appears that by 1929, the Tax Recovery Branch was established and it has since played a stable role. The following listing summarizes its major functions (Annual Report: 1972).

- Recommends to the Minister for or against the sale of each occupied property that has been taken over by reason of nonpayment of taxes as well as each such unoccupied property in the province in other than a city or town.

- Provides advice and guidance to municipal administrators on the management of Tax Recovery property.

- Assists ratepayers with advice on their property tax problems.

- Participates in the administration of Public Land Reserves in Improvement Districts and Special Areas.

- Supervises the collection of tax arrears in Improvement Districts and Special Areas.

- Administers tax recovery property in Improvement Districts.

- Supervises the leasing of land by means of long term grazing leases, cultivation leases and annual permits in the Special Areas.

- Issues easements, pipe line agreements, mineral surface leases and right of entry to companies involved in supplying public utilities or extracting, processing or transmitting oil and gas on public land in the Special Areas and tax recovery land in the Improvement Districts.

- Implements the government policy of exchange of lands to give assistance to those Improvement District residents having a need to consolidate their holdings for the purpose of establishing economic farm units.

- Collects all Agricultural Relief Advances issued in Improvement Districts and, where circumstances warrant, makes a recommendation to the Agricultural Relief Adjustment Board respecting a compromise settlement of an account irretrievably in arrears, or the write-off of an uncollectable account.

4.2.C Grants and Subsidies Branch

In 1974, this branch was established to administer the terms of the Property Tax Reduction Act. Previously, the General Administration group (1973: Finance and Administration Division) administered the act and its predecessor (the Homeowners Tax Account and the Senior Citizens Assistance Acts) financial programs.

The branch administers the following financial programs (Annual Report: 1981/82)

- Municipal Debenture Interest Rebate Program

- Unconditional Grants to Municipalities

- Special Purpose Municipal Grants

- Senior Citizens Renter Assistance Program

- Homeowner Refund Program

4.2.D Urban Advisory Group and Special Projects Branch

In 1975, the Task Force on Urbanization and the Future completed its work, and its staff was formed into the Special Projects and Policy Research Branch which reported to the Deputy Minister. In 1978, the branch was renamed as the Urban Advisory Group and Special Projects Branch. This branch provides research and policy support for a variety of concerns which relate to municipal administration.

4.3 Improvement Districts Operations Division

In 1912, when Municipal Affairs was created, the Tax Commissioner established a group of field assessors to levy and to collect land taxes in rural areas and Improvement Districts. Although it is not clear when the Field Services Branch was separated from the Assessment Branch, its functions can be identified as:

- To make general assessments and collected tax revenues in the Improvement Districts. These funds were remitted to the Accounts Branch (General Office).

- To make inspections and valuations for the Tax Recovery Branch in the Improvement Districts.

- To make inspections and valuations for the Succession Duties, Administrators of Estates, Official Guardian-Public Trustee.

- To supervise the administration of Farm Purchase Boards in the Improvement Districts.

- To handle applications for Mothers' Allowances and Old Age Pensions in the Improvement Districts.

- To participate in Agricultural Service and Health Unit Boards and planning commissions in the Improvement Districts.

- To direct Improvement District Field Offices.

These offices were located in:

District Offices	Inspectorate
Medicine Hat	I.D.'s 8-10-11-22-27
Calgary	I.D.'s 33-50-51-946
Drumheller	I.D. 42
Rocky Mountain House	I.D.'s 58-65-58-69
Edson	I.D.'s W1/278-79-80-95&96
Evansburg	I.D.'s 77-E1/278-109
Bonnyville	I.D.'s 85-101
Lac La Biche	I.D.'s 102-121-143
Westlock	I.D.'s 107-108-122-123
High Prairie	I.D.'s 110-124-125-126-128-129
Spirit River	I.D.'s 111-132-134-139
Peace River	I.D.'s 131-137-138-144-145-146-147-148-149

In 1975, the former Field Services Branch was reconstituted as the Improvement District Administration Branch and was placed within the Municipal Administrative Services Division. However, by 1980, the Provincial Government had re-evaluated its orientation towards the administration of Improvement Districts (Annual Report: 1980/81) and a set of new policy principles was adopted:

- To develop a greater degree of local autonomy in the districts by creating Advisory Councils to assist in taxation and expenditure decisions.

- To decentralize provincial administrative supervision by allowing greater autonomy for field offices for making regional decisions.

- To provide a more fully developed set of community services in the Improvement Districts.

In 1980, the Improvement District Operations Division was established and a new organizational structure was adopted. First, a coordinated structure of Improvement District administration emerged. Within the context of the division, an Improvement Districts Services Branch was established. Then, a new regional-district structure was established consisting of regional offices for the Northern, Central, Eastern, and Southern areas. The regional offices, in turn, communicate with the Advisory Councils and manage the affairs of individual districts directly.

Moreover, in 1980, a Métis Development Branch was established. The branch relates to Métis settlement areas directly, and the terms of the Improvement District Act apply.

Finally, in 1976, Municipal Affairs established a Land Tenure Secretariat (Annual Report: 1980/81, p. 35) as a special project to develop long-range development plans for communities located in the extreme northern and western areas of Alberta. This component was originally under the management of the Municipal Administrative Services Division. In 1980, it was transferred to the new Improvement District Operations Division; and it is likely that by the end of 1983 it will be abolished.

4.4 Planning Services Division

In 1915, regulations pursuant to the Town and Rural Planning Act (1913) were drafted. These regulations provided a set of standards to direct municipalities in developing a planning scheme. However, it appears that it was not until 1950, that a formal Town and Rural Planning Branch was established. The mandate of the branch was to assist local authorities, who did not establish District Planning Commissions. Formally, the Surveys Branch (Public Works) did subdivision surveys.

The 1953 Planning Act introduced a more expanded regional planning commission concept which allowed local authorities within a given area to establish planning practices applicable to their regional needs. However, not all Alberta communities desired to merge into these regional associations. Therefore, the Town and Rural Planning Branch continued to support the needs of communities who were not serviced through a local planning authority.

In 1963, the government enacted a new Planning Act and at that time, the branch became known as the Provincial Planning Branch and it was composed of:

- Municipal Planning and Design Section
  This component provided planning services to any city, town, or village not under the authority of a local planning body and it administered the New Towns Act.

- Planning Research Section
  This component conducted planning studies which related to land usage in the province.

- Branch Library

- Regional Planning Section
  This component provided planning services to any rural area not under the authority of a local planning body.

The 1975 reorganization affected Municipal Affairs' planning structure in several ways. Firstly, the former municipal and regional sections were not changed, however, a new current planning section was established to provide subdivision and bylaw services to communities not within a regional planning commission.

Secondly, the former research section was reconstituted as the Planning Research and Development Branch. Thirdly, the former library section expanded its operations to provide support for all areas within Municipal Affairs and it was placed under the Finance and Administration Division. Fourth, a new Inter-Agency Planning Branch was created in 1979. The purpose of this branch is to provide support for the Minister and the Provincial Planning Board in matters which relate to provincial planning policy. Finally, a Planning Support Services Branch was established to provide administrative, budgetary, engineering, cartographic, and graphic services to the Planning Services Division.

4.5 Finance and Administration Division

In 1912, the General Office and Accounts Section was established. It was directed by a Chief Clerk and it reported to the Deputy Minister. The General Office and Accounts Section performed two vital record keeping functions. First, it processed department records and handled matters related to general administration. Secondly, it maintained various tax accounts, administered various trusts, and maintained agricultural relief accounts. An examination of departmental records between 1912 and 1973 indicates that this section was referred to as General Office, General Office and Seed Grain Branch, General Office and Mechanized Accounts, General Administration Branch, and Financial Services Branch. It is unclear if these were formal name changes or if an informal nomenclature was used. However, it appears that its functions were stable over time (Annual Report: 1972, p. 320) and its major functions are summarized:

The Departmental Service Function

- It was responsible for departmental accounting records and procedures.

- It was responsible for the department's budget.

- It was responsible for the department's supply inventory.

- It was responsible for the department's central mail and cashier services.

- It was responsible for the department's central records registry.

The Improvement Districts and Special Areas Service Function

- It was responsible for the annual budget of each unincorporated area.

- It was responsible for maintaining assessment and tax rolls records, preparing and issuing tax notices, and collection and receivable records for each unincorporated area.

Financial Assistance Programs

This branch operated financial programs under the Homeowners Tax Discount Act (1966), the Senior Citizens Shelter Assistance Act (1972) and the Property Tax Reduction Act (1973). Responsibility for financial assistance programs was assumed by the Grants and Subsidies Branch in 1975.

Special Assessment Support

In 1953, the Improvement Districts Branch was made responsible for making assessments on mobile construction and leisure equipment and an Equipment Licensing Office was attached to the accounts section. The office collected the levies and distributed them to the local authorities on a pro-rata basis. By 1977, mobile equipment licensing no longer was under the supervision of the Improvement Districts Branch and a seperate Mobile Equipment Licensing Branch was established. Its jurisdiction was expanded from rural areas to the cities and when the Mobile Equipment Licensing Act was repealed in 1980, the branch was disbanded.

In 1975, the Finance and Administration Divsion was established. The Division is composed of a Financial Services and Central Services Branches. The Financial Services Branch is responsible for departmental financial needs (budget) and for servicing tax and other financial accounts, and this Central Services Branch is reponsible for the departments records management program, the departmental library, and all matters which relate to general administration.

4.6 Departmental Support Functions

Within Municipal Affairs, there exist some department-wide functions which report directly to the Deputy Minister:

Communications and Public Affairs

Between 1956 and 1958, Municipal Affairs established a Liaison Office to

perform a public relations function. The Liaison Office was generally directed to facilitate harmonious relations between the department and the local authorities and it worked closely with the Inspection Branch. In 1972, the Liaison Office was transferred to the Bureau of Public Affairs. It continued to serve the department, under the title, Municipal Affairs, Liaison Office - Burueau of Public Affairs. Following the 1975 reorganization, Municipal Affairs established its own Communications and Public Affairs Branch in 1976 and it was placed under the aegis of the Municipal Administrative Service Division. Then in 1979, the branch was placed under the Deputy Minister's office. However, the branch continues to draw upon the technical resources of the Public Affairs Bureau.

Personnel Administration

In 1965, a Personnel Administration Branch was established and between 1965 and 1983 the branch has reported directly to the Deputy Minister's office. Prior to 1965, the individual branch directors were responsible for staff personnel matters. However, it appears that matters relating to records were routed through the General Office.

Solicitors Office

In 1977, Municipal Affairs began contracting legal support from the Attorney General's Department. The solicitor provides legal services to the entire department and he reports directly to the Deputy.

Internal Auditor

In 1980, the Internal Audit Branch was established and it primarily reviews and evaluates financial activities within the department in order to facilitate financial control. The branch reports to a Departmental Audit Committee, composed of the Deputy and senior departmental officers and, linkage between the auditor and the Executive Director of the Finance and Administration Division is maintained. However, all matters pertaining to budget administration is routed through the general office.

4.7 Associated Boards

In Part III, various special-purpose boards and appropriate enabling legislation were identified and a description of their relationship to the department was presented in Part III.

What must be remembered is that Municipal Affairs is not strictly a program oriented department. Rather, its function is to provide a provincial mechanism for overseeing the functioning of local government. Hence, the interaction of provincial and local governments requires mechanisms to make appropriate decisions. In that regard, boards have played a key role In facilitating intergovernmental cooperation.

Firstly, throughout the history of Municipal Affairs, boards and

commissions have played an important advisory role in assisting the Minister. The Provincial/Municipal Finance Council, Provincial/Municipal Advisory Committee, Advisory Committee on Communal Property, Municipal and School Boundaries Advisory Committee, and various special studies are examples.

Secondly, it appears that some boards were endemic to the decision-making aspects of provincial-municipal relations. As the report, Municipal Affairs: Organization Review (1974, pp. 7-8) denotes:

> ". . . the Provincial Planning Board reports to the Minister of Municipal Affairs, as is now the pattern. This direct relationship with the Minister is necessary because of the political sensitivity of the planning function, the significance of any factor that affects environment and the fact that most of the interaction on planning involves other departments such as Agriculture, Lands and Forests, Highways and Transport, Environment, and Treasury."

Hence, the Provincial Planning Board, Commissioner Northeast Alberta, Assessment Appeal Board, and the Local Authorities Board all report directly to the Minister.

CHART II: MUNICIPAL AFFAIRS: ORGANIZATIONAL STRUCTURE 1912-1983

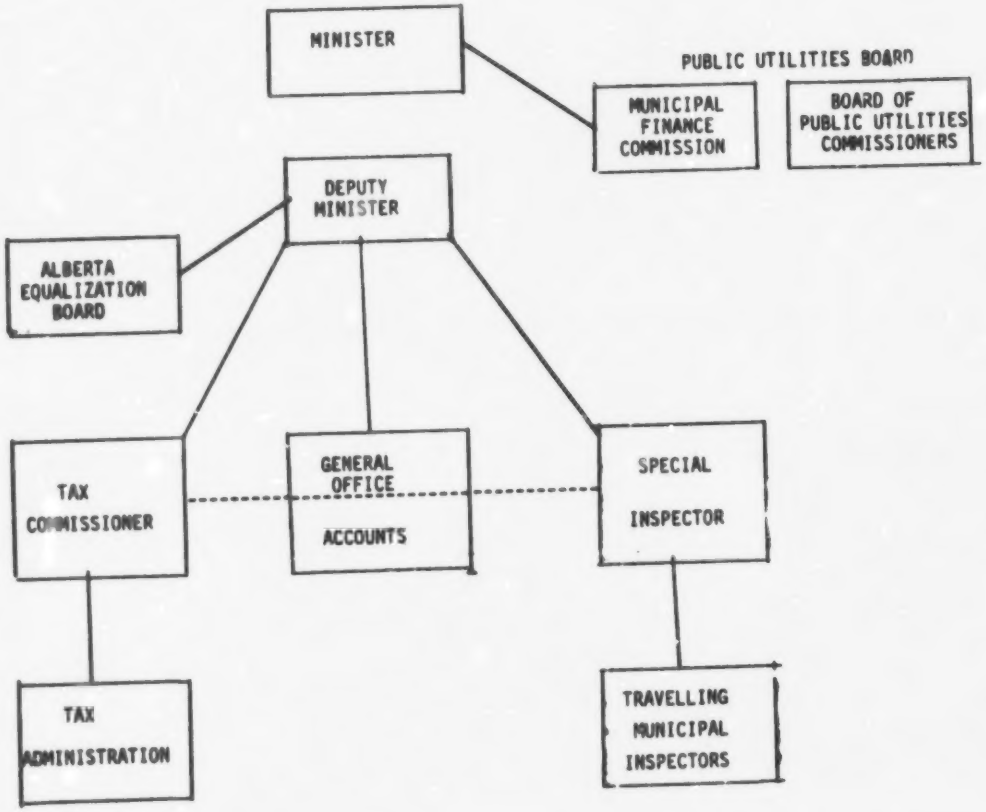
The purpose of this chart is to provide a visual comparison for deciphering the department's organizational structure.

In Chart IIA: it is pointed out that the department was composed of three major program areas: tax administration, inspection, general administration.

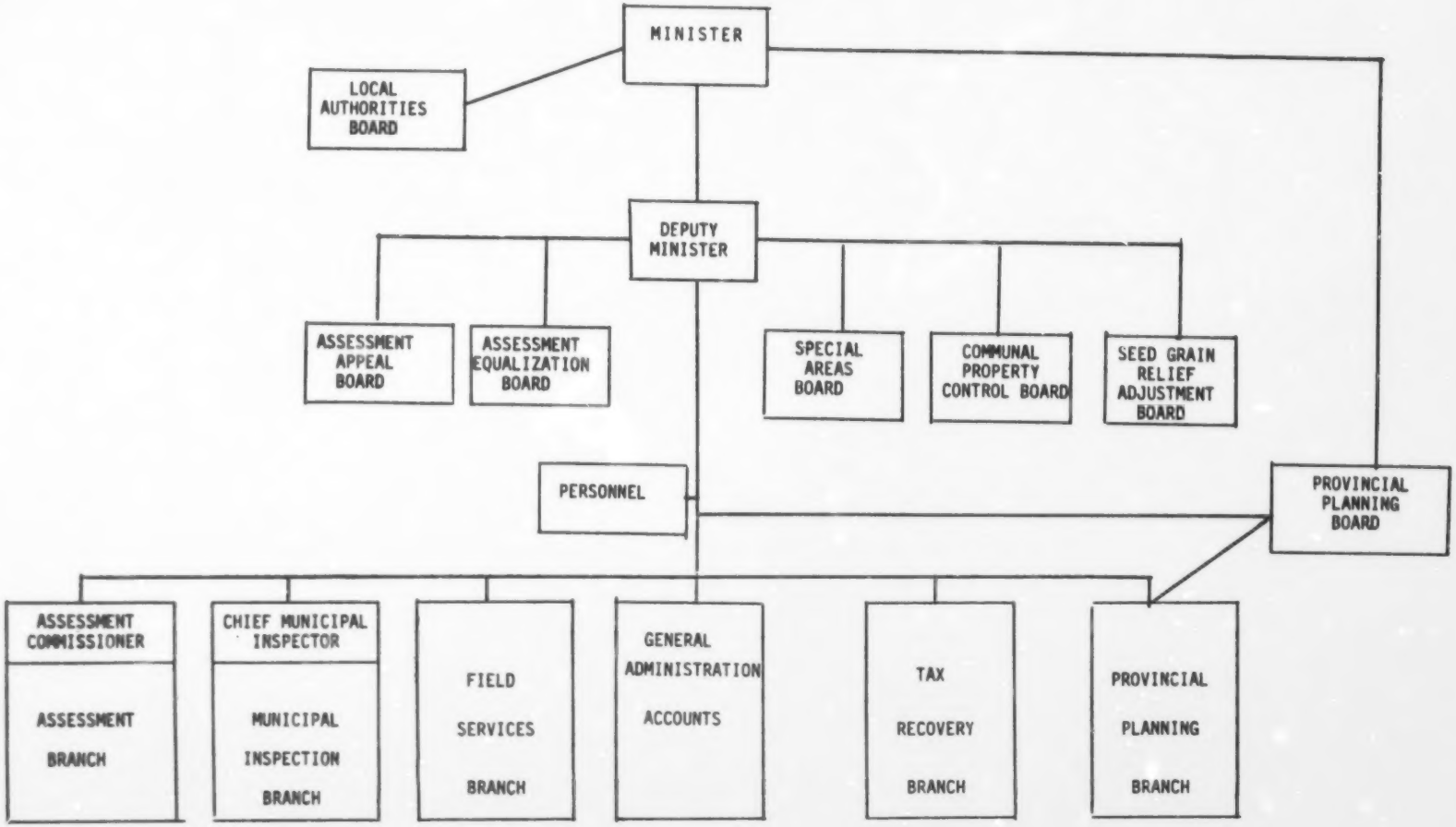
In terms of tax administration, there existed a division between "Assessment and Collections" and the administration of the "Wild Lands Tax". However, both reported to the Tax Commissioner. Also, a general office was maintained.

The General Office was composed of correspondence, records, and stenographer sections. Accounts also included land title, searches and certificates, and seed grain accounts offices.

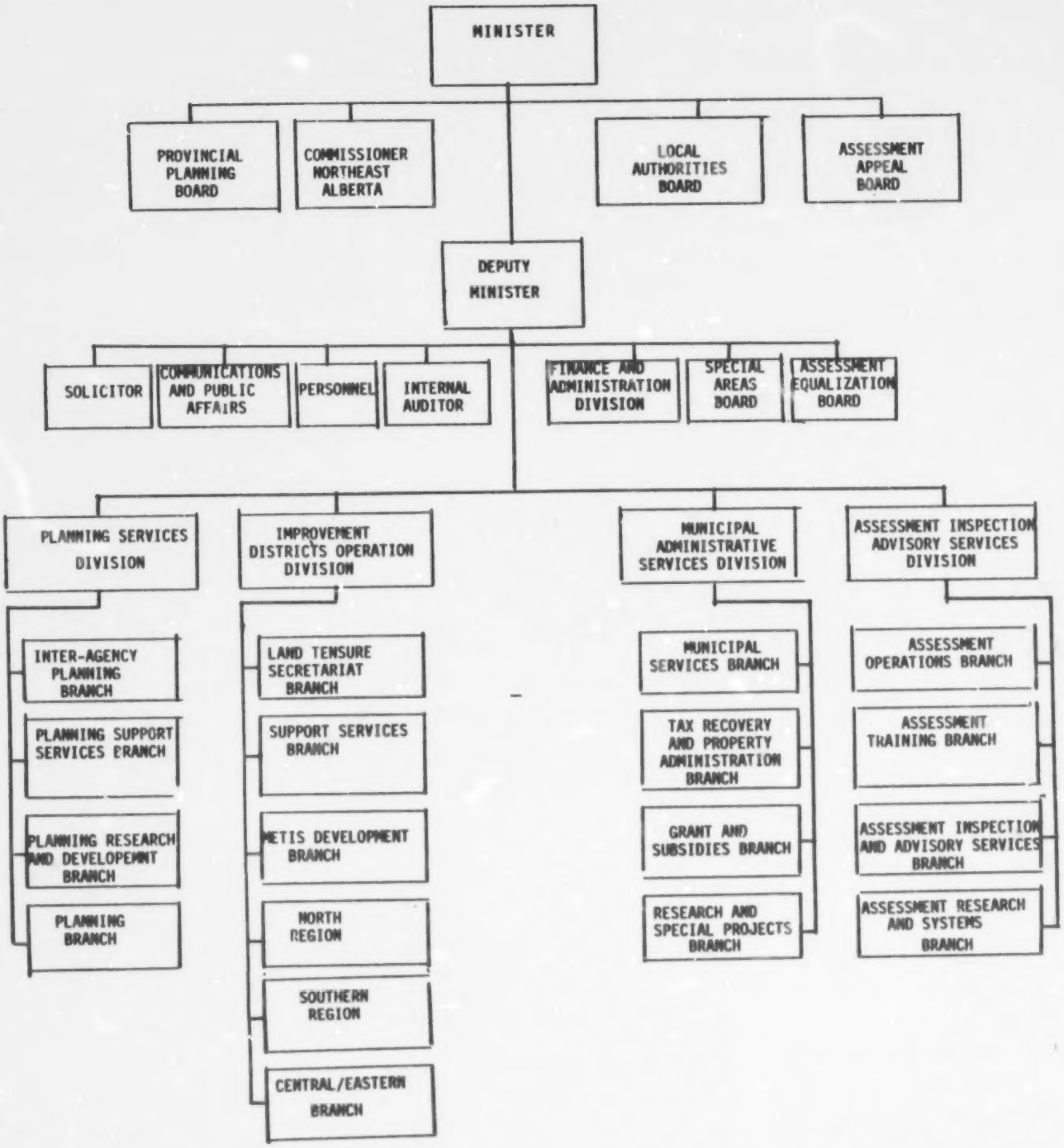
MUNICIPAL AFFAIRS ORGANIZATIONAL STRUCTURE AS OF 1922



MUNICIPAL AFFAIRS ORGANIZATION STRUCTURE 1923 - 1975



MUNICIPAL AFFAIRS ORGANIZATIONAL STRUCTURE AS OF 1983



PART V: REFERENCE MATERIALS

This section consists of four sections:

1) Footnotes
2) Chronology of major historical developments
3) List of ministers and deputy ministers
4) Index

FOOTNOTES

1. See: Bettison, Kenward, Urban Affairs in Alberta (Edmonton, 1975, University of Alberta Press), ch. 1-3, and Eric Hanson, Local Government in Alberta (Canada; 1956, McClelland and Stewart), ch. I, VII, VIII, X, XV.

2. See: Plunkett and Betts, Management of Canadian Urban Government (Kingston; 1978, Queens University Press), see: ch. IV The Intergovernmental Context of Local Government.

3. The Northwest Municipal Ordinance and the Herding of Animals Ordinance of 1883 were the first local governmental enactments affecting Alberta.

4. See: Hanson, op. cit. pp. 20-23. Also; Reid, "Local Government in the Northwest Territories: Saskatchewan History, Vol. II (1949) pp. 1-14.

5. See: Hanson, op. cit. pp. 22-23.

6. See: Hanson, op. cit. pp. 34-36.

7. See: Alberta Budget Speeches, 1915, 1916, 1917, 1918. Reference to problems of tax recovery was constant. Moreover, Hanson op. cit. provides some explanation, p. 33.

8. While many changes to the Tax Recovery Act have been made, its substantive purpose has remained constant.

9. In 1938, the Hail Insurance Board was established. The Board was composed of provincial representatives and a representative from the Association of Municipal Districts. The Board functioned until 1969 when the Hail and Crop Insurance Corporation was established and it was then charged to Agriculture.

10. Prior to 1921, drainage was both a Federal and Provincial responsibility. In 1921, the Provincial Government assumed responsibility.

11. The Provincial Archives maintains a file on the development of health care in Alberta.

12. The Town and Village Act was altered several times. The specific changes are not described as it appears that most changes were regulatory and did not alter the general purposes of the act.

13. It is unclear as to what legislation pertained to industrial assessment between 1957 and 1960.

14. The Electric Power Line Taxation Act originally provided for a levy upon private companies and it included both plant facilities and transmission devices. However, the Pipe Line Taxation Act was solely levied upon lines used for transmitting oil and natural gas. For both acts rural local authorities were prohibited from making levies of their own.

15. The Assessment Act was altered several times. The specific changes are not described and most changes were regulatory and did not alter the general purposes of the act.

16. An effort was made to determine when the designation of the former special areas were changed. The records were not located.

17. Metis settlement areas were named as Metis Improvement Districts.

18. Agricultural service boards were totally operated by the Department of Agriculture. Municipal Affairs Annual Reports are somewhat misleading.

19. See: The Report on Communal Property 1972: Select Committee of the Legislative Assembly. This committee recommended that the act be repealed.

20. K.L. Powell, History of Name Changes of Alberta Government Departments and Agencies (Edmonton, 1977, Legislative Library) p. 193. The collection of seed grain accounts was transferred in 1922 from Treasury. In 1973, the board's duties were preempted by Agricultural Relief Adjustment Board.

21. Hon. E.W. Hinman, "Time for a New Deal In Municipal Finance". In Hanson, op. cit. pp. 115-126. This document summarizes this new orientation.

22. Hon. C.E. Gerhart, "The County System of Local Self-Government". A Broadcast given Oct. 16, 1950. A text was given to the Provincial Archives on March 31, 1983 from Municipal Affairs.

23. The 1951 City Act and the 1952 Town and Village Act provides administrative control. This paper does not attempt to analyse the specific regulations.

24. Planning legislation was altered many times. The specific changes are not described as it appears that most changes were regulatory in nature. What this paper shows are the most significant changes to Alberta's land-use planing system.

25. Both the Municipal Assessment and Assessment Appeal Board Acts established a new system of property tax administration. This paper describes the new system but does not overview regulatory development.

26. Review means an appellate function.

27. It is unclear how government grants are calculated under the Crown Property Municipal Grants Act.

28. See Powell, op. cit. p. 13 and p. 26. When responsibility was transferred to Agriculture a Civil Defense Branch was established. The branch functioned from 1957 to 1959 and it was renamed as the Alberta Emergency Measures Organization in 1960 (O.C. 1016/160). Then, in 1973 it was renamed as Alberta Disaster Services Agency.

29. See: Bettison, Kenward, Taylor, op. cit. Chapter 3.

30. The Municipal Government Act provides for the terms by which local authorities are to function. This paper does not describe specific regulatory development.

31. This paper does not describe specific regulations governing local elections.

32. The Improvement Districts Act was amended in: 1971 (S.A. 1971 c.25 and c.50), 1972 (S.A. 1972 c.111), 1974 (S.A. 1974 c.35), 1975 (S.A. 1975(2) c.17), 1976 (S.A. 1976 c.69), 1977 (S.A. 1977 c.40 and c.89), 1978 (S.A. 1978 c.4).

33. The Property Tax Reduction Act is composed of regulations governing both individual and municipal grants. This paper does not discuss individual regulations.

34. The Municipal Taxation Act is composed of regulations governing property taxation. This paper does not discuss individual regulations.

A CHRONOLOGY OF MAJOR HISTORICAL DEVELOPMENTS

1. 1883:
   a) The Northwest Municipal Ordinance was passed.
   b) The Herding of Animals Ordinance was passed.

2. 1886:
   The Fire Districts Ordinance was passed.

3. 1887:
   The Statute Labour Ordinance was passed.

4. 1890:
   The Statute Labour and Fire District Ordinance was passed.

5. 1893:
   The Unincorporated Town Ordinance was passed.

6. 1895:
   The Territorial Village Ordinance was passed.

7. 1896:
   The Statute Labour Ordinance was passed.

8. 1897:
   a) The Local Improvement Ordinance was passed.
   b) The Territorial Department of Public Works established a Local Improvement Branch.

9. 1903:
   a) The Local Improvement Ordinance of 1903 was passed.
   b) The Drainage Ordinance of 1903 was passed.

10. 1906:
    The Alberta Department of Public Works Act was passed. Within Public Works, a Local Improvement Branch was established, the head of the branch was known as the Provincial Tax Commissioner.

11. 1907:
    a) The Alberta Public Health Act was passed.
    b) The Alberta Educational Tax Act was passed.
    c) The 1907, municipal inspectors were appointed by the Provincial Tax Commissioner. This group became the Municipal Inspection Branch.

12. 1908:
    The Drainage Act of 1908 was passed.

13. 1912:
    a) The Department of Municipal Affairs Act was passed.
    b) The Rural Municipalities Act was passed.
    c) The Alberta Town Act was passed.
    d) The Controverted Municipal Election Act was passed.

14. 1913:
    a) The Alberta Village Act was passed.
    b) The Alberta Town Planning Act was passed.

15. 1914:
    a) The Wild Lands Tax Act was passed.
    b) The Timber Areas Tax Act was passed.
    c) A Wild Lands Tax Branch was established under the Tax Commissioner. It appears that this Branch was merged with tax responsibility for the Local Improvement Districts. It appears that the Branch became known as the Field Services Branch.
    d) The School Districts Relief Act was passed.

16. 1915:
    a) The Irrigation District Act of 1915 was passed.
    b) The Public Utilities Act was passed.

17. 1916:
    a) The Drainage Act of 1916 was passed.

18. 1919:
    a) The Municipal Hospitals Act was passed.
    b) The Mental Defectives Act was passed.
    c) The Tax Recovery Act was passed.
    d) The Taxation Revisions Act was passed.
    e) The Department of Public Health Act was passed.
    f) The Municipal Districts Seed Grain Act was passed.
    g) The Public Health Branch was transferred to Municipal Affairs from the Provincial Secretary.
    h) The Soldiers' Home Tax Exemption Act was passed.

19. 1920:
    a) The Municipal Districts Relief Act was passed.
    b) The Municipal Finance Commission Act was passed.

20. 1921:
    a) The Local Improvement Districts Act of 1921 was passed.
    b) The Border Areas Act was passed.
    c) The Drainage District Act of 1921 was passed.

21. 1922:
    a) The Equalized Assessment Adjustment Act was passed.
    b) The Tax Recovery Act of 1922 was passed. It appears that a separate Tax Recovery Branch was established by 1929.

22. 1923:
    a) The Mineral Taxation Act was passed.
    b) The Public Utilities Act of 1923 was passed.

23. 1925:
    a) The Industries Assessment Act was passed.

24. 1926:
    a) The Public Lands Act was passed.

25. 1927:
    a) The Local Improvement Districts Act of 1927 was passed.
    b) The Tilley East Area Act was passed.
    c) The Tax Consolidation Act was passed.

26. 1929:
    a) The Union of Municipalities was passed.
    b) The Tax Recovery Act of 1929 was passed.
    c) The Town Planning Act of 1929 was passed. At this time a new Town and Rural Planning Advisory Board was established.
    d) The Electric Power Line Taxation Act was passed.
    e) The Tax and Rate Collection Act was passed.
    f) The Municipal Assessment Commission Act was passed.

27. 1930:
    a) The Alberta Natural Resources Act was passed.
    b) The Administration of Natural Resources (temporary) Act was passed.
    c) The Lloydminster Municipal Amalgamation Act was passed.

28. 1931:
    a) The Department of Lands and Mines Act was passed.
    b) The Provincial Lands Act was passed.

29. 1932:
    a) The Berry Creek Area Act was passed.
    b) The Cities and Towns Emergency Borrowings Powers Act was enacted.

30. 1933:
    a) The Pipeline Taxation Act was passed.

31. 1934:
    a) Responsibility for the Town Planning Act was transferred from Municipal Affairs to Public Works.
    b) The Town and Village Act of 1934 was passed.
    c) The Tilley East and Berry Creek Areas Act was passed.
    d) The Local Authorities Borrowings Guarantee Act was passed.
    e) The Relief Liability was passed. This act was originally charged to Municipal Affairs, but in 1935 it was transferred to Public Health.

32. 1935:

a) The Local Tax Arrears Consolidation Act was passed.
b) The Berry Creek and Tilley East Areas became Special Municipal Areas.

33. 1936:

a) The Social Services Tax Act was passed.
b) The Agricultural Relief Advanced Act was passed.
c) The Bureau of Relief and Public Welfare Act was passed.

34. 1937:

a) The Industries Assessment Act was passed.
b) Responsibility for the Agricultural Relief Advances Act was transferred from Municipal Affairs to Agriculture.
c) Responsibility for the Government Employment Bureau was charged to Municipal Affairs. Then in 1937, it was transferred to Public Health.

35. 1938:

a) The Tax Recovery Act of 1938 was passed.
b) The Alberta Hail Insurance Act was passed.
c) The Assessment Act was passed.
d) The Metis Population Betterment Act was passed and it was administered by Public Health.

36. 1939:

a) The Special Municipal Areas Act was enacted and it was administered by the Department of Lands and Mines.
b) The Bureau of Public Welfare Act was passed.
c) The Municipal Improvements Assistance Act was passed.

37. 1940:

a) The Soldiers' Relief Act was passed.

38. 1942:

a) The Local Authorities Investment In War Loans Act was passed.

39. 1943:

a) The Debtors' Assistance Act was passed. In 1945, it was transferred from Municipal Affairs to the Attorney General.

40. 1944:

a) The Department of Public Welfare Act was passed.
b) The responsibility for the Métis Population Settlement Act was transferred from Public Health to Public Welfare. A Metis Rehabilitation Branch was established.

41. 1945:

a) The Agricultural Service Board Act was passed.

42. 1947:

a) The Local Improvement District Act of 1947 was passed.
b) The Communal Property Act was passed.

43. 1948:

a) Responsibility for the Town and Rural Planning Act was transferred to Municipal Affairs from Department of Public Works.

44. 1949:

a) Municipal Affairs became responsible for managing the Special Municipal Areas Act.
b) The Crown Property Municipal Grants Act was passed.

45. 1950:

The County Act was passed.

46. 1951:

a) The City Act was passed.
b) The Municipal Assistance Act was passed.
c) The Special Areas School Division Capital Assistance Act was passed.
d) The Civil Defense and Disaster Act was passed. In 1957, responsibility was transferred from Municipal Affairs to Agriculture.

47. 1952:

a) The Town and Village Act of 1952 was passed.
b) The Alberta Housing Act was passed and was placed under Economic Affairs.

48. 1953:

a) The Town and Rural Planning Act of 1953 was passed. Responsibility for this Act was transferred from Public Works to Municipal Affairs.
b) The Municipal Assistance Act of 1953 was passed.
c) The Municipal Capital Expenditures Act was passed.
d) The Mobile Construction Equipment Licensing Act was passed.
e) The Seismographic Recording and Drilling Equipment Act was passed.

49. 1954:

a) The Drayton Valley Townsite Act was passed.

50. 1955:

a) The Public Utilities Board was placed under the aegis of Municipal Affairs. Then in 1972, it was transferred to the Department of Telephones and Utilities.

51. 1956:

a) The New Towns Act was passed.
b) The Municipal Financing Corporation was passed.

52. 1957:

a) The Assessment Appeal Board Act was passed.
b) The Municipal Assessment and Equalization Act was passed.
c) The Municipalities Additional Borrowing Powers Act was passed.
d) The Farm Purchases Credit Act was passed.
e) The Mobile Homes Licensing Act was passed.
f) The Industries Assessment Act was repealed.

53. 1958:

a) Between 1958 and 1968, Municipal Affairs administered the joint Federal/Provincial Winter Works Incentive Program.

54. 1960:

a) The Assessment Act of 1960 was passed.
b) The Public Utilities Act of 1960 was passed.
c) Industries and Utilities Act was passed.

55. 1961:

a) The Electric Power and Pipeline Assessment Act was passed.
b) The Municipal and Provincial Properties Valuation Act was passed.
c) The Local Authorities Board Act was passed.

56. 1962:

a) The Municipal and School Administration Act was passed.

57. 1963:

a) The Farm Purchases Act of 1963 was passed.
b) The Planning Act of 1963 was enacted.

58. 1965:

a) The Alberta Housing Act of 1965 was passed and responsibility was placed with Municipal Affairs.
b) The Local Improvement District Act of 1965 was enacted. Between 1960-1980 this Act was amended on six occasions. Today, Municipal Affairs provides community services to the districts.
c) The Municipalities Tax Exemption Act was passed.

59. 1966:

a) The Homeowners Tax Discount Act was passed.

60. 1967:

a) The Municipal Land Loans Act was passed.
b) The Alberta Housing Act of 1967 was passed and the Alberta Housing and Urban Renewal Corporation was established. Municipal Affairs participated as its Deputy Minister held a seat on the Board of Directors.
c) The Municipal Taxation Act was passed.

61. 1968:

a) The Municipal Government Act was passed.
b) The Municipal Elections Act was passed.
c) The Irrigation Act of 1968 was passed.

62. 1969:

The New Towns Act of 1969 was passed.

63. 1970:

a) The Social Development Act was passed.
b) The City Transportation Act was passed.

64. 1972:

a) The Agricultural Development Act was passed.
b) The Senior Citizens Shelter Assistance Act was passed.

65. 1973:

a) The Property Tax Reduction Act was passed.
b) The Uniform Building Standards Act was passed.

66. 1974:

a) The Northwest Alberta Regional Commission Act was passed.
b) Participation by Municipal Affairs in the Alberta Housing and Urban Renewal Corporation terminated.

67. 1975:

In 1975, the Department of Municipal Affairs was reorganized. Instead of various branches reporting directly to the deputy head, a new divisional structure was adopted.

68. 1977:

The Planning Act of 1977 was passed.

69. 1978:

The Crowsnest Municipal Amalgamation Act was passed.

70. 1979:

a) The Municipal Debt Reduction Act was passed.
b) The Calgary-Canadian Pacific Transit Agreement Act was passed.

71. 1980:

Responsibility for the Métis Settlement Areas was transferred to Municipal Affairs from the Social Services and Community Health Department.

72. 1983:

Responsibility for the Agricultural Relief Advances Act was transferred to Municipal Affairs from the Department of Agriculture.

MINISTERS AND DEPUTY MINISTERS

DEPARTMENT OF MUNICIPAL AFFAIRS

I. MINISTERS	DATES
1. Archibald McLean	1911-1912
2. Charles Stewart	1912-1913
3. Wilfred Gariepy	1913-1918
4. Alexander MacKay	1918-1920
5. Charles Mitchell	1920-1921
6. Richard Reid	1921-1923
7. Herbert Greenfield	1923-1925
8. Richard Reid	1925-1934
9. Hugh Allen	1934-1935
10. Charles Cockroft	1935-1937
11. Lucien Maynard	1937-1943
12. Clarence Gerhart	1943-1954
13. Edgar Hinman	1954-1955
14. Alfred Hook	1955-1967
15. Edgar Gerhart	1967-1968
16. Harry Strom	1968
17. Edgar Gerhart	1968-1969
18. Fred Colborne	1969-1971
19. David Russell	1971-1975
20. Dick Johnston	1975-1979
21. Marvin Moore	1979-1982
22. Julian Koziak	1982-

II. DEPUTY MINISTERS	DATES
1. John Perrie	1911-1919
2. J.H. Lamb	1919-1925
3. W.D. Spence	1925-1929
4. R. English	1930-1934
5. E.L. Ray	1934-1935
6. A. Soutter	1936-1946
7. J.W. Judge	1946-1955
8. A.W. Morrison	1955-1973
9. W.D. Isbister	1973-1980
10. A.R. Grover	1980-

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